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MINORITY RIGHTS
IN THE AGE OF GLOBALIZATION

Edited by
Felix Wilfred

jeevadhara

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Foreword

When *Jeevadhara* was started in the latter half of the twentieth century (1971 to be exact) it had a Vision as well as a Mission of its own: the Vision of a springtime of renewal in the Church and a 'total revolution' in the country; and the Mission of preserving our birth right of freedom with love. The Vision would go on widening with the explosion of knowledge and the subsequent progress in and around the world. The main thrust of the Mission was to safeguard the God-given freedom of thought and expression against all encroachments or onslaught by any individual or the establishment. In spite of several such instances during the course of the last centuary we stood our ground without swerving from the stand we took from the start: "We shall proclaim the truth even if it is unpleasant without fear or flattery, without being deterred by frown or by hindrance from any quarter whatsoever, from an individual or the establishment. Contributors to the Journal are free to express their views but they are requested to bring forward solid reasons to support their contentions." Today nobody would dare infringe our freedom of thought and speech because we always stand for truth and reason. So Dr.Sebastian Painadath could confidently testify:"*Jeevadhara is perhaps the only theological Journal in India where we can express our reflections freely.*" Because of the wide vision *Jeevadhara* has set before it, it could discuss all relevant questions that came on its way. Dr.Felix Wilfred, after having made a thorough study of the theological development in India said: "*I have been struck by the enormous contribution Jeevadhara has made to the theological thinking in India.*"

Nobody would deny that the Journal from the start has always been broad in its scope and outlook. Hence its readers include not only all groups of Christians, but also those who are not Christians. Nothing human has been alien to it. Though a theological review, everything human falls within its purview.

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Now that *Jeevadhara* is a Journal for Socio-Religious Research it has to be still broader in its scope and outlook and more 'secular' which word here, apart from its dictionary meaning, implies the recognition that 'seculum' is the sphere of God's presence and purpose. The Universe and everything therein are inter-related. Once this inter-relationship is lost it falls apart and disintegrates, next to nothing. We cannot distinguish between sciences strictly as secular and sacred. That would be denying God's presence and purpose in everything. The greatest danger in our age of specialization is loosing sight of this inter-relationship and harmony of everything in the universe, everything in nature, everything in the human and among humans. Once this relationship and harmony is lost sight of, the vision gets blurred and relations go deteriorated. This is what is seen every where in the world today in spite of the tremendous progress it has made. Can it then be called progress! Our vision is a new humanity with justice and freedom for all. Religions, philosophies, sciences, technology and all human endeavours should join hands to create a new humanity.

Jeevadhara is the outcome of the concerted effort of Indian theologians. It is published every month, alternately in English and Malayalam. Each of its twelve issues has a separate Editor, expert in the respective subject and he is supposed to have a sectional board of editors, chosen by him. At least once a year the team of Editors meet and discuss all matters that are relevant and of immediate interest. Each Editor, at least from now on, has the option to make some innovations in his issue. .It is hoped that we shall be able to write a new chapter in the history of *Jeevadhara* in this twentyfirst century.

J.Constantine Manalel

General Editor

Editorial

It may not be an exaggeration to state that the world peace and national peace hinges on how we come to terms with the issue of minorities. Minorities are a global and national issue of peace, justice, human rights and democracy. The situation in almost every country - both the developed and developing ones – will amply substantiate this. It is important to note that the configuration and contours of minorities have wide variations depending on the context and history of a particular region or nation-state. The process of globalization, on its part, has added to the complexity of the issue. It has also brought about significant transformations in the understanding and approach to the question of minorities, calling for new theoretical explorations as well as a new praxis in regard to this issue. This number of *Jeevadhara* is an attempt to grapple with the issue of minorities in these changing times of globalization.

The first article by me on "Minorities in the Age of Globalization" seeks to elaborate a theoretical framework for the issue by treating synoptically the global experience and the situation in our country. It is followed by an article by Dr Patrick , which focuses on social minorities. It shows how for socially marginalized groups like the dalits, modernity has been an incomplete project of empowering, whereas globalization has come as something very ambiguous jeopardizing the gains of that empowerment. The contribution by Dr Pushpa Joseph goes into the study of women as social minorities, and deploying the concept of "capability" (Amartya Sen), she analyses to what extent this vulnerable group has been really empowered. She then proposes an alternative methodology which will help this social minority to struggle with hope.

Dr Roy Lazar in his contribution entitled "Wrestling with Shadows" studies the dynamics involved in the fomenting and explosion of violence, in particular the violence as suffered and as originating from the minorities, and it concludes with some indications for praxis. My second

contribution entitled "Minority Rights and Minority Obligations" is written with the religious minorities, especially Christian minority in mind. While my first article affirms the legitimacy of minority rights, this piece wants to highlight their limitations, and more importantly the Christian spirit and theology that should inform the claims of minority rights.

Preparing year by year the first number of *Jeevadhara* has been for me a very exciting experience. It has given me the opportunity to think about some of the most pressing issues at the global and at the national level. In visualizing and preparing this particular issue of *Jeevadhara*, I have been greatly assisted by a band of young and dynamic scholars deeply committed to research and the social issues of our times. They are today attached to the Department of Christian Studies in various capacities, and were once my students, and of whom I am very proud. I am referring to Dr Gnana. Patrick, Dr Pushpa Joseph and Dr Roy Lazar. I wish to thank them sincerely for their contributions to this issue of *Jeevadhara* on minorities from their respective angle of study and research.

The issue is addressed to the wider fraternity of scholars and grassroots activists and those involved in the new social movements. It is my hope that the interaction that may be generated among these various groups will be of great help in making the theological enterprise more sensitive and alive to the plight of humanity in our times.

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Minorities in the Age of Globalization
Search for New Trajectories

Felix Wilfred

This article views synoptically the developments in the discourse on minorities at the global level and at national level. Taking cognizance of the growing importance of community rights in the light of new global experiences and theorizing, the author notes that the minority rights are not to be viewed either as a "pampering" by the state or as a defence-mechanism by the minorities. They are to be a constitutive factor in the pursuit of democracy and justice in any multicultural and multireligious society. That would throw light also on the way to approach such intriguing issues like reservation or affirmative action and uniform civil code. In a certain sense, the Indian Constitution has anticipated the global developments of today in regard to minorities and minority rights.

The tragedies in Yugoslavia, Rwanda and Sri Lanka caution us against the danger of any consolidation of community identities in the name of language, ethnicity, religion, etc. Common sense seems to counsel in this age of globalization, a mode of life and governance that would transcend these particularities. Such a posture appears to be more universalistic and seems to tally with the dynamics of globalization which cuts across all kinds of borders and boundaries. Hence many would welcome the proscription of the French government to use scarves by Muslim girls in schools, since it would mark in public the religious identity of a particular group – in this case Muslims.[1]

On the other hand, growing discrimination on the basis of religion, language, ethnic origin is on the increase, incessantly calling for the

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1   It may be of interest to know that this has been found as discriminatory, since the government does not prohibit the use of skull-caps and other marks of Christian religious identity in public!

protection of the communities and groups without which protection, the individuals may not be safe. In communal riots, people are killed not because they are individuals, but precisely because they belong to a community, a group. The same is the case in the practice of genocide and ethnic cleansing. How realistic would then be to evade the community identity and talk in global and universalistic terms, ignoring the ground-realities? In fact, one of the most dangerous things that threaten world-peace today is to equate a particular identity – be it ethnic, religious, linguistic or cultural – with the nation-state. Fortunately, the conviction is growing at the global level that in these times, for the advancement of humanity and its well-being, it is important to recognize the plurality of communities and groups in any nation-state. Moreover, in the global world today there is escalation of violence and terrorism. Serious conflicts take place over the access to scarce resources. The injustice and deprivations connected with it are responded to by more insistent affirmation of community, especially by the vulnerable ones. I think this kind of conflict among communities and groups between the nations, or within the same nation seems to be characterizing the post cold-war period. The macro-level ideological conflict of one-time is shifting towards many micro-level ethnic and community-conflicts. The lack of respect to these communities and groups are seen also in programmes of facile assimilation and integration. All this has brought into sharper focus the question of minorities.

Global Background

The classical Western liberal thought imagined nations as made up of a single homogenous cultural group. This is true of James Locke, John Stuart Mill, Rousseau and many others. The legacy of this thought which did not allow room for any multiplicity of groups and cultures still lingers on, with serious consequences for peace and justice. We need to think only of the human disasters witnessed not long ago in regions as diverse as Kosovo and East Timor. Fortunately, the actual experiences at the global level is making it abundantly clear that there are hardly any state in the world, with one single nation or culture so as to make a complete conflation of state and nation. The actual reality is that of many communities, groups, cultures, traditions, histories, and so on. "*Difference*", then, is becoming an important political agenda, and there is urgent need to find ways and means to cope with this diversity of community, groups and cultures.[2]

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2   There is a growing body of international literature on these questions. Gerd

Issues of group-rights and minority-rights are part of this general problematiqe. With distinct identities, people constitute different communities. This is very evident in South Asia and South East Asia, be it India, Pakistan, Malaysia or Indonesia. In the West, we have the example of Belgium where in effect two nations with distinct languages and cultures live under one political arrangement, not to speak of Switzerland , a nation with a small population, and yet with four distinct linguistic communities living under one state. There are different communities like Catalonians and Basques in Spain, the Scots and the Welsh in United Kingdom, and the Franco-phone Quebec community in Canada. The persistence of these identities in Western democracies gives lie to the thesis that community identities are pre-modern expressions and that they will disappear with the advancement of modernity. It also tells us that it is not necessary that the different identities should get assimilated into one single ethno-religious/cultural understanding of nation.

The Indian Experience

In India, whereas for a long time, minority rights have been viewed as forming part of the secular mode of governance, today strangely, they are said to contradict the spirit of secularism.[3] Globalization seems to have reinforced this perception. The objection to minority rights by Hindutva is precisely because they go against secularism, by treating people and groups unequally. On this basis, there is the questioning of the minority rights granted by the Constitution, which in the new circumstances of today, would call for revision.[4] Ironically in India,

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Baumann, *The Multicultural Riddle. Rethinking National, Ethnic, and Religious Identities*, Routledge, New York – London, 1999; Will Kymlicka, *Politics in the Vernacular. Nationalism, Multiculturalism, and Citizenship,* Oxford University Press, Oxford, 2001; *Multicultural Citizenship,* Clarendon Press, Oxford, 2000 (reprint of 1995): ID. (ed), *The Rights of Minority Cultures*, Oxford University Press, Oxford 2000 (reprint of 1995); Will Kymlicka – Wayne Norman (eds), *Citizenship in Diverse Societies,* Oxford University Press, Oxford, 2000.

3   I do not enter here into the complex question of ethnic minorities especially in the North-East and the many problems connected with minority-majority question resulting from migration, border-crossing etc. For these issue, see Sanjoy Hazarika, *Strangers of the Mist. Tales of War and Peace from India's Northeast,* New Delhi, 1995; ID., *Rites of Passage. Border Crossings, Imagined Homelands, India's East and Bangladesh,* Penguin Books, New Delhi, 2000.

4   Cf. D.L.Sheth – Gurpreet Mahajan (eds), *Minority Identities and the Nation-State*, Oxford University Press, New Delhi, 1999

the secular is being invoked both by the majority and the minorities. It is invoked by the majority to deny the minority rights, and by the minorities to justify and support the same rights. The arguments on both sides are in the name of neutrality the state is supposed to practice. Neutrality means for the majority that the state should not privilege or "pamper" and "appease" the minorities, whereas for the minorities it means that the state should not be a party to impose the culture and tradition of the majority community. The process of globalization and privatization has an impact also in interpreting minority rights. This could be inferred from the more recent ruling by 11- judge bench of the Supreme Court in regard to minorities and higher education.[5]

Broadening the Framework

We need to broaden our conception of minority rights in India by placing it in the global framework of communities and their place. At the same time we need to be aware of the fact that minorities are very context-specific. It is difficult to generalize solutions; every country, region, has its own unique context-specific character and problems regarding this issue. Developments in socio-political situations may lead to the emergence of new minorities. For example, it was not until the mid 1980's that the Sikhs were considered as minorities. Similarly, people of Tamil origin became a vulnerable minority group in Mumbai following threats against them. The present contribution wants to look at the new developments both in theory and practice regarding minorities at the global level which needs to be taken into account in our approach to the issue in India. I shall proceed in this article synoptically with the global developments as well as the Indian situation in mind.

To define minorities solely or chiefly in terms of numbers would be a too narrow approach. In a democratic conception of a formal nature, minorities become a question of numbers. The issue revolves around the freedom and status of minorities, because these could be suppressed by the votes of a brute majority. In this regard, the classical question posed by Rousseau on how a minority could be free and yet forced to conform to the will of the majority becomes a serious one. What Rousseau probably had in mind was the situation of political minorities and majorities, which are not permanent. For, the situation could alter with election to turn the ruling majority into a minority, and vice versa. The

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5   Cf. Minority Rights - Myth or Reality: M.P. Raju; Media House, Delhi. For comments on the book by Krishna Iyer, see Hindu, May 13, 2003.

question becomes more serious when the minorities are of a more or less *permanent nature* as are linguistic, ethnic and religious minorities. When the permanent minorities are disadvantaged by their size, and the majority takes advantage of this situation for governance and imposition of its will, we have majoritarianism, or in the words of John Stuart Mill, "tyranny of the majority".

While speaking of "permanent minorities", we need to be aware also of the complexity of the situation existing in India. Though at the national level, Hindus are the majority, there are some regions like Punjab and Kashmir where they are numerically a minority. On the other hand, there may be some regions, where Christians may be majority, while nation-wide they are a minority community. While acknowledging this fact, it need not be construed as to invalidate the overall situation in which there are permanent minorities, in contrast to political minorities. Similarly in certain pockets of the country like Goa and the North-East Christians may be numerically majority, or numerically significant as in the state of Kerala. [6] Gurpreet Mahajan basing on such facts referred above draws a different conclusion, namely that we should not speak of permanent minorities. [7] I think that we need to accept certain fluidity and variation in the concept of minorities allowing for differentiation and new configurations. However, we cannot deny the fact that at the national-level many of the groups will remain for the foreseeable future as minorities. Attention to the fluidity need not cancel out the overriding national facts.

Today with the process of globalization, the issue of minorities has assumed yet other important dimensions. In the conflict and competition for access to scarce sources, some groups of people get marginalized and suppressed on the basis of their racial origin, language, region or religious belonging. Moreover, because of the powerlessness and vulnerability of the minorities, they could be left aside with no voice in decisions affecting them and the various spheres of the life of the nation.

6   I want to point out here a remark by a learned Hindu colleague of mine in the University of Madras, who is well-disposed towards the Christian community, but could not understand how Christians could be considered a minority in Kerala. As he said, there can be only two minorities in Kerala – the Jews and the Anglo-Indians!

7   Cf. Gurpreet Mahajan, *Identities and Rights. Aspects of Liberal Democracy in India,* Oxford University Press, New Delhi, 1998; ID., *"Contexualizing Minority Rights",* D.L. Sheth – Gurpreet Mahajan (eds), *Op.cit.* pp. 59 – 72.

Variety of Communities

In considering the minorities in today's global world, we need to be aware of the fact that there are varieties of minority communities. Globalization has caused large-scale displacement of peoples, with the result that in many western democracies there are today diverse migrant groups constituting minorities. Their situation cannot be equated with what is termed as "*nested minorities*' by which is meant people who are vulnerable and or numerically small but who have been an integral part of the nation from time immemorial. These are the indigenous peoples with their distinct cultures and traditions. The problems facing these two types of minorities are different. Again, there are minorities characterized by socio-economic disabilities, and minorities whose concern is focused more on their religious and cultural identities. These two types of minorities cannot be placed on the same plane.

The minorities are diverse, and distinct in each nation with its specific problems and questions. Therefore, the search for solutions and the particular configuration of the relationship between the minorities and the majority community in a nation needs to be context-based, and relating to its concrete historical developments. For example, the question of immigrant minorities in some of the Western states cannot be compared to the situation of minorities in India. Contemporary Western discussion on minorities devotes much attention to immigrant minorities and to issues of their integration into the nation as well the protection of their cultural identities.[8] In India, the minorities are a matter of groups who are an integral part of the land and its history. Though the problem is posed today in the framework of majority- minority, it is a fact that in India, plurality of communities is not anything new, and there have evolved many forms of co-existence and mutual accommodation. Today it is a matter of finding a proper political expression to this long tradition. Each historical period and each new situation requires approaches and measures consonant with the context. For example, at the time of the making of the Constitution, there were many ways open as to how the minorities could be protected in India. One of the possibilities was communal representation. This was recommended by the Sapru Committee. But, as we know, this was given up voluntarily by the religious minorities, and it was retained for the scheduled castes and tribes alone.[9] Protective measures went more in the line of reservation

8   For a discussion of the issue, see Will Kymlicka, *Politics in the Vernacular, Op.cit.* pp. 275 ff.

9   Cf. Gurpreet Mahajan, *Identities and Rights. Aspects of Liberal Democracy in*

for the vulnerable and disadvantaged minorities such as the scheduled castes and tribes, and freedom and autonomy to run educational institutions by the cultural and religious minorities.

It is important to engage in discourse as well as in practice, with the different kinds of minorities in a nation. Focusing on one kind of minority could cause a lot of dissention and imbalance. And this is what has happened in India. While the Constitution has provided for different kinds of minority groups – socio-economic, linguistic, cultural, etc., in practice, the minorities have become synonymous with religious minorities. This has diverted attention from other vulnerable minority groups,[10] and even more seriously has created a polarization on the basis of religion. India had to contend with the problem of *linguistic minorities*, and this could have plagued the country if not for legitimate recognition and autonomy of linguistic minorities and the re-organization of states on that basis.

In the case of all these minorities, it is important to pay attention not only to the objective fact of the smallness of the numerical size, but also to the *consciousness* of being minorities. This happens when the minorities see themselves in relation to the majority community in a nation, or in relation to the nation-state. These two reference points are also the source of the minority-consciousness.

Do Communities Have Rights?

Though the question of minorities is a practical issue, to be able to respond to the challenges it presents, we require certain theoretical clarifications. Contemporary liberal political theories do not rule out the place of communities, identities and minorities. What these theories seem to say is that the benefits supposed to derive from community could be viewed as flowing from the rights of the individual with all her claims and exigencies. In other words, what are claimed as minority rights can be reduced to individual rights. If community is supposed to provide the environment for the personal choices of the individual in freedom, so goes the argument, this right to community itself is the right of the individual, and does not call for any separate "community rights". The individual rights of freedom of expression, association, movement, right

India, Oxford University Press, New Delhi, 2001; Peter Ronald De Souza, ""Appeasement of Minorities and Multiculturalism: The Indian Debate", in D. L. Sheth – Gurpreet Mahajan (eds), *Op.cit.* pp. 206 – 219.

10   For detailed treatment of social minorities see the article of G. Patrick in this issue of *Jeevadhara*

for equal treatment etc. would subsume under them the claims in the name of the community.

What this kind of reasoning does is to assume that a community is an aggregate of individuals, whereas in fact, it has its own distinct characteristics. It is where the *Communitarian* arguments begin. According to the Communitarians, it is only through the community that the individual herself is enabled to make her personal choices. Without the community, the individual and her freedom remains an abstraction. Community is a moral entity and it cannot be reduced to a sum total of abstract individuals. It is not enough to claim for the individual the right to belong to a community or culture. A particular community or culture as a moral entity is the legitimate subject of rights. The matter becomes very evident in the case of language rights of minority groups. Language is not the production of individuals; it is the creation of a community, and as such the community can claim rights for its language – something which would be strange if it were to be reduced to an individual right. However, within liberal political theory itself there is the effort to recognize duly the community rights, but as part of the enhancement of the individual and her freedom. This is different from the position of reduction of community rights to individual rights. Will Kymlicka summarizes this accommodative liberal orientation, when he states:

> The basic idea is this : Modernity is defined (in part at least) by individual freedom of choice. But what does individual choice involve? People make choices about the social practices around them, based on their beliefs about the value of these practices. And to have a belief about the value of a practice is, in the first instance, a matter of understanding the meanings attached to it by our culture. Societal cultures involve *a shared vocabulary of tradition and convention* which underlies a full range of social practices and institutions... Understanding these cultural narratives is a precondition of making intelligent judgements about how to lead our lives. In this sense, to quote Ronald Dworkin, our culture not only provides option, it also "provides the spectacles through which we identify experiences as valuable"[11].

Most recent theoretical developments show that the liberal and communitarian approaches need not be viewed as antagonistic; they are

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11   Will Kymlicka, *States, Nations and Cultures*, Van Gorcum, Ottawa, 1997p. 34
      Other authors like Yael Tamir, Joseph Raz, Charles Taylor, David Miller
      represent this position also.

complementary. In some instances, a liberal orientation may be called for, while in other cases the communitarian emphasis will be needed. Strangely, there is a convergence of liberal political thought and Marxist theory in regard to minorities, starting from different premises and with different projections of the future.[12] The question of communities and minorities is viewed by classical Marxism as something transitory in its grand narrative of human history. The way to communism passes through the stages of democracy and socialism. It is at the democratic stage of the development that one has to contend with the reality of communities and ethnicities in a bid to accommodate them. But then these will whither away as we move on to the socialist and communist stages to usher in is true internationalism of the proletariat.[13] We could see that the approach China has taken towards minority rights would fall within this scheme of Marxist thought. With factors like globalization, perhaps, in China itself the conviction is growing that the issue of ethnicity and communities and minority is much more than a transitory reality.

Today, there are efforts at the international level to go even further, and to make minority rights themselves as part of *fundamental human rights*. It is true that the U.N declaration of 1948 on Universal Human Rights did not speak of community rights or minority rights. This could be explained from the fact that during the Second World War, Hitler instigated the German minorities in Czechoslovakia and Poland, and when their minority claims were denied, this served as a pretext for an aggressive war against these countries.[14] Hence, at the time of the formulation of Universal Declaration of Human Rights, there was some hesitation and even suspicion about the discourse on community rights or minority rights. But the experiences at the global level show how more and more minority communities are targeted in ethnic and communal conflicts, calling for the *defence* of the rights of minorities as a fundamental issue of human rights.

Practical Arguments

Several practical arguments are being put forward that question the

12   Cf. Ephraim Nimni, "Marx, Engels and the National Question", in Will Kymlicka, *The Rights of Minority Cultures, Op.cit.* pp. 57-75.

13   Cf. Giri Deshingkar, "The State and Minorities in China", in D.L.Sheth – Gurpreet Mahajan (eds), *Op.cit.* pp. 289-307. See also Teufel Dreyer, *China's Forty Millions. Minority Nationalities and National Integration in the People's Republic of China,* Harvard University Press, Cambridge, Massachusetts, 1976

14   Cf. Neera Chandhoke, *Beyond Secularism. The Rights of Religious Minorities,* Oxford University Press, New Delhi, 1999.

idea of community rights, and even more minority rights. One argument is that the concessions made to minorities will dissipate the nation and stand in the way of forging a strong sense of national unity. Here of course, the understanding of unity differs. Unless unity is identified as homogenization, diversity need not be viewed as weakening of the nation. On the contrary, it enhances the unity. Closely connected with the perceived obstacle to unity, is the preoccupation that community rights and minority rights may lead to the autonomy of the groups in such a way that the slippery path to secession is what will follow. This, of course, is a danger and risk. But what experience tells us is that a voluntary integration of the minority communities with the nation through minority rights is less open to secession than the cultivation of a unity through coercion. It is a fact that in different parts of the world the state and the majority community deploy systematically the strategy of the control of space, by which is meant the dispersal of the minorities and reduction of their strength by planting immigration of other communities. Such strategies only contribute to strengthen the resolve of the disprivileged community to move on the path of secession.[15]

The opposition to community rights and minority rights derive also from another practical reason. Minority rights apparently create an imbalance in the society, and those who benefit from the concessions of minority rights through the enjoyment of privileges push the majority community to a disprivileged state. This seems to be an assumption that needs to be proved empirically. It may be difficult to prove in India, for example, that the condition of the Muslim minority community is economically and educationally better than the majority Hindu community. Moreover, the rights contemplated for minorities qua minorities are limited to certain areas like the autonomy of their religious and cultural life (subject of course to certain limitations), and does not cover such areas as health-care, housing etc.

Globalization has introduced a different kind of practical argumentation against views which hold self-preservation of communities as a value. I would call this as trans-cultural argument. According to this line of thought, as a result of globalization and the mobility it has introduced, the world is increasingly becoming cross-cultural. Therefore instead of promoting community identities, we should promote *cosmopolitanism*.

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15   Cf. Oren Yiftachel, "The Homeland and Nationalism", in Alexander J. Motyl (ed.), *Encyclopedia of nationalism*, vol. 1, Academic Press, San Diego, 2001, pp. 359ff.

We have such cases as for example of an African married to a Mexican, eating Chinese food, drinking German beer and listening to Italian opera! Such cases are alluded not simply as illustrations; implicit therein is also a projection of the future shape of a transcultural world. The transcultural argument questions any efforts to reinforce community and cultural identities.

The assumption behind this argument seems to be that the call for minority identities is based on a *static and fixed view of identities*, which need not be the case. A community should be fluid and be open to other communities and in the process also forge new identities. But all this does not annul communities and identities. A rootless cosmopolitanism does not seem to answer the pressing issue of identities. In the case of India in particular, the embeddedness of caste, its hierarchical order and endogamous nature, do not allow any easy transmutation of identities in any significant scale, so as to enable a kind of Indian version of cosmopolitanism. We may draw a parallel between the projections made at the height of colonialism in India. It was thought that the linguistic identities would wane, and eventually disappear with the introduction of English. But the fact is that people have preserved their linguistic identities, while trying to transform their languages in response to new situations and factors.

To be able to come to grips with the ground-reality of minorities today, simple theorizing in the name of an abstract individualism will not be of much help. It would be absurd, for example, to deny community rights to the Indian tribes of America, and argue on the basis of individual rights. *As a community* they have a historic claim to the land, which is important for their development and freedom as individuals. In fact in many parts of the world positive response to the issue of minorities started as a practice, even before the development of any political theory regarding them. It is only in recent times that such attempts are being made. In this enterprise it is important to hold in mind the historical experiences. As for India, the circumstances forced to find ways and means to create a proper space for the minorities, and especially when there was fear and suspicion that they may be unprotected. It is to such apprehensions, Nehru responded when he observed with realism and a keen sense of the past:

> "[T]he history of India and of many of the countries of Europe has demonstrated that there can be no stable equilibrium in any country so long as an attempt is made to crush a minority or

force it to conform to the ways of the majority... It matters little whether logic is on its side or whether its own particular brand of culture is worthwhile or not. The mere fact of losing it makes it dear. Therefore we in India must make it clear to all that our policy is based on granting this freedom to the minorities and that under no circumstance will any coercion or repression of them be tolerated... we can also lay down as our deliberate policy that there shall be no unfair treatment of any minority.[16]

Citizenship and Minority Rights

The intriguing situation created by minority rights at the global level has also led to a focusing on the concept of citizenship. According to this conception, the communities will recede to the background if we project citizenship as a common factor. It does not matter to which ethnic group, language, or religion a person belongs. There is a parity on the basis of citizenship, each one with commonly shared rights and duties. Such an approach appears very attractive especially when there is weariness about communal conflicts, and violence in the name of religion, ethnicity, language, and so on. But the point is that the concept of citizenship is abstracted from the actual context. The context often will indicate, that a particular citizen has greater opportunities and privileges than others because he or she belongs to a particular class or caste. Experience shows further that at the global level – both in East and West – citizenship is very much tied to affiliation to particular ethnic or linguistic group.[17] The concept of citizenship carries with it certain ambiguities in the context of many competing communities in a nation.

[I]n multi-ethnic and multinational states the rhetoric of citizenship has been used historically as a way of advancing the interests of the dominant national group. The discourse of citizenship has rarely provided a neutral framework for resolving disputes between the majority and minority groups.; more often it has served as a cover by which the majority nation extends its

16   *Young India,* May 15, 1930.

17   I am reminded of an incident narrated to me by a friend, from Tanzania who happened to have a German passport (former Tanganika was a colony of Germany). . At the immigration in U.S.A., he was looked at with suspicion, and to clear all doubts he was asked to count one, two three... in German! He refused, because as he said, passport and not language and colour are evidence of citizenship! It was difficult to counter his argument; so he was he let in by the immigration authorities.

language, institutions, mobility rights, and political power at the expense of the minority, all in the name of turning supposedly 'disloyal' or 'troublesome' minorities into 'good citizens'[18].

It is instructive to examine the circumstantial reasons and difference of history behind a theorizing which makes the individual citizen as the point of departure. In the case of United States, for example, almost the entire population was made up of migrants, and it was important that these migrants freed themselves from their cultural and ethnic roots, so as to create a single common nation. In this context we can understand – though not justify – the emphasis on the individual and individual rights. This cannot be applied to India with its innumerable cultures and communities inhabiting the land for several centuries and millennia. An approach which duly recognizes the community and its rights are equally important as individual rights. These communities and cultures actually enrich the nation and its quality. Further, we cannot wipe out with the stoke of a pen all the differences created through long-standing social and economic marginalization of such groups as the dalits.

Minority Rights – Exceptions or Constitutive?

Minority rights are viewed by some as exceptions from the norm. They are seen as danger to the non-discrimination and neutrality the state is expected to practice. Often the majority community views these rights as concessions made to minorities. There is also the apprehension that the various communities may be exploited for political ends and for electoral gains. Hence one speaks about "pampering" of minorities. The minority communities themselves view these rights as privileges and special status granted to them, and their attitude and politics go in the direction of protecting these privileges from the intrusion of the state and from the majority community. This orientation is being followed because there is the pressure from the majority and from the state to integrate the minorities into a homogenized conception of national unity.

The vigorous assertion of minority rights today seems to be the answer of the minorities to this state of affairs and prevailing conception of national integration. However, if we were to view these rights negatively as concessions, or defensively as rights, it is bound to cause serious social dissensions and conflicts. That is why the new state of affairs calls for an approach to minority rights as something that could be looked at not simply as exceptions or privileges, but something which

18   Cf. Will Kymlicka - Wayene Norman (eds), *Op.cit. p* p. 10 – 11.

is *inherent and constitutive to any state or society* in its endeavour to ensure freedom, equity and justice to all its citizens. In this way minority rights are not the concern of minorities alone, but of the whole society and the nation. This calls for an approach inspired by higher ideals and goals.

Minority rights and national integration are not opposed to each other. On the contrary, in these times of globalization when pluralism and multiculturalism have become the order of the day, the goal of national integration itself would call for certain rights for the minorities and vulnerable groups. In sequel to the ever-greater assertion of indigenous minorities and immigrant groups, we note today at the global level the evolving of a different model of nation-building, more sensitive to the pluralistic nature of the society.[19] This has been found important for the maintenance of peace and promotion of freedom and justice for all. This being the global development, it would be anachronistic for India to abjure the minority rights it has adopted through the Constitution, and go back to an imperialist and homogenizing model of nation-building.

A major transformation that is taking place in minority rights is that, from being viewed as an exception, a way of practical compromise in the face of plurality, these minority rights are being viewed today as something of international significance. In fact, we read in International Covenant on Civil and Political Rights of 1966 a clear recognition of minorities and their rights:

> In those states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group to enjoy their own culture, to profess and practice their own religion, or to use their own language[20]

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19 Cf. Hurst Zhannum, "International Law", in Alexander J. Motyal (ed.), Encyclopedia of Nationalism, vol. I, Academic Press, San Diego, 2001, pp.405 ff.

20 Art.27.. In the light of the new global developments that took place in the past few decades (as for example issue of migration, refugees), the scope of the article required to be widened, and this was done by the "Copenhagen Document" produced by the Organization for Security and Cooperation in Europe (OSCE). The Human Rights Committee in the interpretations it made in 1994 also spelled the fuller implication of the above cited article 27. Further the United Nations issued in 1992 a Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities. For the

This is but the culmination of the increasing international consciousness on the issue.[21] This global and international development is reflected in the submission of the attorney general of India Sorabji in his submission to the supreme court in July 25, 2003, when he noted, that "preferential treatment to minorities in respect of their cultural, linguistic and educational institutions is not in the nature of a privilege or concession but their entitlement flowing from compulsion of the mandate of equality, that is de facto equality."

The national minorities are no more an issue of a nation which comes to some kind of compromise and practical arrangement with them, but becomes a matter of principle. Like in the case of violation of human rights, the oppression and injustices done to national minorities has become today issues of serious international concern. This changing face of minorities issue calls for deeper foundation and theoretical legitimation. The accommodative approach to minorities should give place today to an approach at the level of values and ideals a society professes. This is all the more important at the global level since the moral progress of a country and a society is to be evaluated on the basis of how its vulnerable groups and peoples are treated.

Substantive Democracy and Distributive Justice

The global issue of minorities and minority rights has raised some important issues regarding the conception and practice of democracy and justice. It is here that we also need to find the basis and justification for minorities and their rights. This will remove further the impression of minority rights as some exceptional privileges, or something that deflects the state from its neutrality and non-discrimination.

One of the serious problems at the global level for democracy is the relationship among various communities in terms of their cultures and

text of the various documents, see Henry J. Steiner – Philip Alston (eds), *International Human Rights in Context. Law, Politics, Morals,* Clarendon Press, Oxford, 1996; Ian Brownlie (ed.), *Basic Documents on Human Rights*, Clarendon Press, Oxford, 1997 (3rd edition).

21   This goes back to the 1960's. Confronted with a situation of discrimination in education, UNESCO affirmed in 1960 the right of minority groups to establish and run their educational institutions, and teach and learn in their languages. In art. 6 of its Convention against Discrimination in Education, it spoke of the "measures to be taken against the different forms of discrimination in education and for the purpose of ensuring equality of opportunity and treatment in education". Subsequently, the United Nations adopted in 1965 the Convention on the Elimination of All Forms of Racial Discrimination.

traditions, the relative access to resources, sharing of power, and so on. While procedural democracy often may look like a ritual with the routine voting, representation, decision by majority, etc., substantive democracy goes into deeper question of actual and effective participation of the people in decision-making and governance. A formal democratic system could easily ignore the various communities subsumed under a nation-state, invoking the ideal of citizenship, whereas a substantive democracy cannot. This is so because, ultimately, democracy is about equality, and therefore it needs to ensure that all segments of the society are treated equally and are not prevented from any threats and coercion just because they belong to a particular group or community.

Democracy is often justified with reference to freedom. But freedom itself needs to be equally distributed, in such a way that we do not have a situation where some individuals and groups are freer than others. Equality is indispensable for any true democratic practice. Viewed in this way, minority rights themselves get their legitimation by reference to democracy and equality. This is the kind of argument Neera Chandhoke builds up in her important contribution.[22] In her view, we need to move from the framework in which we discuss communalism vs. secularism, or the framework of majority vs. minority. The concept of secularism, differently interpreted and invoked, is so caught up in a volley of controversies,[23] that it may not provide us the theoretical basis for the legitimacy of minority rights. Since democracy and equality are principles that have come to enjoy universal acceptance and acclaim, basing minority rights in those values provides them with a solid foundation. When the basic value of equality gets translated into political aspiration and practice, it cannot but include the equal protection which the minority rights seek to provide to the vulnerable groups or to those groups who could be potentially threatened by a majority, or by the state-intervention.

Reservation and Affirmative Action

Minority rights, as I noted above, get identified with religious minorities. No less important are the minorities who are marginalized and suffer discrimination due to social and economic disabilities. That sharpens the question of minority rights in relation to the issue of justice. What in India is known as "reservation policy" and in other parts of the

22   Neera Chandhoke, *Beyond Secularism. The Rights of Religious Minorities*, Oxford University Press, Delhi, 1999.

23   Cf. Rajeev Bhargava (ed.), *Secularism and Its Critics,* Oxford University Press, New Delhi, 1998.

world, specially in the U.S., as "affirmative action" has the objective of rendering justice to the disadvantaged groups such as the dalits, the tribals, African-Americans and others. Developments in recent decades have brought about quite significant change in the attitude to these measures. In India the attempt to extend the reservation to Other Backward Classes on the basis of Mandal Commission report during the prime ministership of V.P. Singh brought about a spate of protests, especially in the state of Gujarat. In the United States, from the start of civil right movement in 1960's the need for affirmative action came to be generally accepted. But it has experienced resistance and opposition since 1980's. As long as affirmative action meant, training and imparting of skills to the African-Americans for competing, it did not have any detractors. But when it came to bring about a statistically proportionate representation of the African-Americans in various sectors of employment and educational institutions, it came into a crisis.[24] All these developments in this globalizing times lead us to examine the theoretical legitimacy and practical viability of reservation or affirmative action. The vehement opposition in some quarters to affirmative action in favour of the African-Americans in the United States and to reservation for the socially and economically marginalized groups in India as the dalits and tribals, have become a battleground for two different conceptions of justice

Any political theory that gives due importance to the reality of communities and groups, would need a corresponding approach to justice to the various groups, specially the economically and socially vulnerable ones. Unfortunately we do not find such a thing in the liberal theory. In fact, the celebrated work of John Rawls, *A Theory of Justice*,[25] appears to be dealing with the issue of justice as a negotiation and arrangement among individuals. The theory is not commensurate with the demands of the practical situation of marginalization and disabilities suffered by

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24   It is instructive to relate our issue of reservation with the debate in the United States regarding affirmative action. The following works may be of help to study the arguments and to get to know the situation following globalization. Gertrude Ezorsky, *Racism and Justice. The Case for Affirmative Action,* Cornell University Press, Ithaca – London, 1996 (sixth printing); Lydia Chavez, *The Colour Bind. California's Battle to End Affirmative Action,* University of California Press, Berkeley, 1998; George E. Curry (ed.), *Affirmative Action Debate*, Perseus Publishing, Cambridge, 1996; Hugh Davis Graham, *Collision Course. The Strange Convergence of Affirmative Action and Immigration Policy in America*, Oxford University Press, New York, 2002.

minority communities and vulnerable groups. That is why I suspect that efforts like that of Nalini Rajan to apply the theory of John Rawls to Indian situation may not respond to the prevailing situation in any adequate way.[26]

The most serious challenge to a liberal theory of justice derives from the practice of affirmative action and reservation. This practice should lead to a theorizing that will make these practices not concessions, but something which the community and the individuals of those communities could rightfully claim. My purpose here is not to go into the politics involved in this debate, but to highlight, how similar the argumentation has been both in the case of African-Americans and the socially marginalized groups in India. Ultimately, it is an opposition to any minority rights. In India within the frame of the Constitution two provisions have been made in favour of the socially marginalized groups: a) Political representation by ensuring through. Art. 330 and Art. 332 that the scheduled castes and scheduled tribes have reserved seats in the Parliament and in the state legislative assembly. b) Economic justice by providing equality of opportunity in public employment for the socially marginalized.

No society can rest content by affirming political equality and procedural fairness - equal right to vote, equality before law, etc. The economic and social equality is much more complex. In this realm, equality calls for certain conditions relating to the satisfaction of primary goods (food, clothing, shelter, health-care etc) required for all human beings to be able to live a dignified human life. Here again, it is not sufficient to claim equal access to or distribution of primary goods, precisely because the socially unequal situation (due to factors like race, caste) marginalizes a group of people, calling for compensatory measures, or the increasing of the capabilities of the disadvantaged group of people.[27] This is precisely what the policy of reservation and affirmative action seek to do in the cases of historically, and ethnically and racially inflicted disabilities and marginalization. In other words, the differential treatment through appropriate compensatory economic measures is devised to attain a fuller form of justice.

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25   John Rawls, *A Theory of Justice*, Harvard University Press, Harvard, 1971.

26   Cf. Nalini Rajan, *Secularism, Democracy, Justice. Implications of Rawlsian Principles in India*, Sage Publications, New Delhi, 1998; ID., *Democracy and the Limits of Minority Rights*, Sage Publications, New Delhi, 2002.

27   Cf. Neera Chandhoke,*Op.cit.* p.p.156 ff.

In the light of what has been said, the various arguments advanced against any such reservation for socially marginalized minorities will lose their ground. Many of those arguments are well-known and do not bear detailed treatment here. Let us, however, quickly recall some of those arguments: : i) the reservation only will reinforce the divisions in the society, instead of overcoming it; ii) it contradicts the principle of equality by preferential treatment of some groups; iii) reservation only harms the interests of the beneficiaries (it goes against the real interest of the dalits, for example). This is so because it reinforces their low position in society and deprives them of the incentive to compete and come up. iv) economic criterion should be applied, and not ethnic or racial criterion for reservation, because there are a lot of poor people also in other segments of the society. Consequently, even the poor of upper castes should have claim for reservation . v) merit should be the criterion, and not caste or class); vi) reservation benefits only the "creamy layer" or the elites among the minorities who are already advantaged.

The argument of creamy layer calls for some comments, since it is highlighted today more and more. For some, if reservation means benefiting the creamy layer, the system will not have much sense. These elites among the minorities do not deserve the benefits of reservation. Secondly, what they benefit could be passed on to the poor in other segments of the society. It is clear, that some of the socially disadvantaged benefit from reservation, and reach a higher economic level. However, it would be difficult to substantiate that those who are disadvantaged due to social marginalization of caste and other factors, are not continued to be discriminated in their profession lives. There are numerous concrete cases and narratives which show that economic improvement does not coincide with social equality and integration. The systemic caste or racial discrimination which have brought about serious damage for a long period of history cannot be overcome by some economic measures. To use an analogy, one may not argue "because I have lost only one leg, I may be less deserving of compensation than another who has lost two legs".[28]

What is striking is the convergence in the arguments in India and in the United States against any reservation or affirmative action.[29]   Even

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28   Cf. Gertrude Ezorsky, *Op.cit.* p.79, with reference to Bernard Boxill.
29   For a detailed examination of arguments, see Gertrude Ezorsky, *Racism and Justice, Op. Cit.*

with all its strong individualism United States could not but recognize the empirical fact that remedial measures and affirmative action are necessary in a society of unequals. The words of former U.S. President Lyndon B. Johnson at the height of civil rights movement brings out in concrete terms this necessity, challenging some of the arguments fielded against affirmative action.

> You do not wipe away the scars of centuries by saying: Now you are free to go where you want, do as you desire, choose the leaders you please... You do not take a person who for years has been hobbled by chains and liberate him, bring him to the starting line and then say, 'Your are free to compete with all the others', and still justly believe that you have been completely fair.[30]

In all fairness it must be said that there are a lot of people who oppose reservation or affirmative action on the basis of conviction and arguments. But it is also true that there are perhaps a lot more people who do it because the persistence of caste prejudice (in India) and racial prejudice (USA) go to maintain the control of the upper castes or the white race. In sum, we realize once again how in a society of unequals, minority rights are not only legitimate, but also become normative for the practice of justice and democracy. Without minority rights, both democracy and equality could be in serious jeopardy.

Minorities and Constitutionalism

If the issue of minorities is a matter of principle, then it should get reflected also in the Constitution-making of a nation. There is a view in India today which holds that something has gone wrong with the concession of minority rights, and this needs to be made good by re-writing the Constitution. Here, we need to remember that the Constitution-making was not one single act. The various issues treated therein have a history behind them. So is also the case with minority rights. Along with democracy, social justice and fundamental rights, minority rights go to make up a unique constitutional combination. It may not be an exaggeration to state that, without minority rights Indian Constitution would not be what it is today. That minorities require protection from the majority community and from the intervention of the state, began to evolve as a conviction since 1920's. Some of the

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30   Quoted in Hugh Davis Graham, *The Civil Rights Era. Origins and Development of National Policy 1960 – 1972*, Oxford University Press, New York, 1990, p.6.

committees relating to the Constitution recommended, besides other safeguards for the minorities, also electoral representation, which as we know was dropped after much deliberation. The experience of partition led to a cautious approach, lest religious and cultural representation could become a potential source of division and conflict in the country.

The decades before the making of the Constitution saw intense discussion and debate on these questions. As was noted earlier, it was a sense of realism in coming to terms with the immense diversity and plurality of India, that recourse to secularism and minority rights were made. One had to take into account also the experiences in Europe where the suppression of minorities led to serious political convulsions.[31] Europe had to tackle seriously the issue of minority groups - ethnic, linguistic, religious, etc., and the problem has not died out even today. How seriously the question of minorities was taken up in the discussion in the Indian Constituent assembly is seen by the resistance to the suggestion by Mahavir Tyagi that the way the issue of minorities is resolved in India be dependent upon the way it would be resolved in Pakistan. Minority issue was viewed by the fathers of the Constitution as a matter of principle, and not as something of political expediency.

> In sum, since its inception the Indian nation-state adopted a liberal-democratic character and rejected ethno-religious/cultural idea of the 'nation'. Accordingly, the 'state' was conceived in ethno-neutral terms and the 'nation' as a territory-political community of citizens. In effect, it legitimized the agency of the state for building the nation conceived as a political unity that transcended cultural diversities within the society. Thus seen, a more appropriate characterization of the Indian state would be state-nation, rather than a *nation*-state. In this emergent context of state-nation relationship the issue of minorities was sought to be problematized in the framework of legal-political institutions of citizenship which articulated minority rights in terms of cultural rights of *communities*, in addition to the rights of their individual members as citizens.[32]

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31 We could think of the ethnically complex situation of the Balkans. In the Austro-Hungarian Empire, the Hungarians were suppressed and their land was used as a buffer zone protecting the empire from the invasion of the Turks.

32 D.L. Sheth – Gurpreet Mahajan (eds), *Op.cit.,* , p. 34.

In this sense, we could say that the Indian Constitution anticipated the developments which are taking place today, namely a shift from the consideration of minority rights as a pragmatic compromise in the face of plurality of groups, to the recognition of minorities as an issue of principal. Today the issue of minorities is to be viewed as matter going to the heart of democracy in multicultural societies, and the practice of social justice.

The Bone of Contention - Uniform Civil Code

The arguments advanced against personal law are similar to the argument advanced against community rights. Uniform civil code is one of the most contentious issues in the country, unleashing a very heated debate on secularism.[33] To be able to understand this important national question, we need to recall here briefly the background of this issue. We already referred to the introduction of the principle of equality before law during the British period. However, the legal issues were much more complex in practice. Besides enacting British law, the rulers of the time had to come to terms with the wide-ranging legal customs and traditions.[34] These related to issues like marriage, succession, adoption, and so on. The British did not want to do away with these laws specially those governing Hindu and Muslim religious communities. They rather preferred to maintain those personal laws and get the help of traditional *pundits* and *imams* to help the courts. When this practice turned out to be cumbersome and controversial, the courts themselves interpreted these laws and customs and dispensed justice.

At the time of the Independence of the country, there was a move to create a legal system which will stabilize the newly acquired unity of the country. Hence the idea of a uniform civil code to govern the whole of India was mooted. This implied the abrogation of all laws, customs and traditions pertaining to the various religious communities (Hindus, Muslims, Sikhs, Christians, and so on). However, sensitivity to these legal traditions and the need to infuse a sense of security in the various communities tended towards retaining some of those personal laws within

33   I could treat this complex issue only in a very sketchy form, and not deal with it at length. For a very lucid overview of the problem, specially with reference to the Constitution-making, see the relevant chapter in the work of D.E. Smith, *India as Secular State,* Princeton University Press, Princeton, 1963.

34   It should be noted here that this not something peculiar to India. Even other democracies had to contend with this problem, and make provisions for the maintenance of the legal system, customs and traditions of special groups in the nation as the indigenous Indians in U. S.A. and Canada.

the ambit of the secular Constitution. It should be noted that these provisions were not only for the minority communities, but as well for the majority community. In fact, the reaction to the introduction of reform in the Hindu Code by Dr Ambedkar met with opposition,[35] which goes to show the importance the majority community itself attached to culture and the need to safeguard it.

Subsequent attempt to streamline the various Hindu laws took the form of some important bills. We may recall here that in the short period between 1955 – 1956 several bills were passed: Hindu Marriage Bill, the Hindu Succession Bill, the Hindu Minority and Guardianship Bill and the Hindu Adoptions and Maintenance Bill. The issue of secularism and uniform civil code was accentuated in the 1980s in regard to the well-known case of Shah Bano. When in 1985 the supreme court ordered a maintenance allowance to Shah Bano by her erstwhile husband who divorced her after forty-three years of marriage, the court verdict was viewed to have gone against the Muslim personal law. This caused unrest in the Muslim community, which led to the passing of the Bill entitled Muslim Women Act in 1986, which set aside the supreme court ruling in favour of the Muslim personal law. The vicissitudes centering on the Shah Bano case triggered off a heated debate in the country regarding the personal law, and invigorated the call for a uniform civil code.

It is against this background, that the question of a common civil code which will apply to all religious groups, has gained momentum. In fact, the Indian Constitution, while accommodating to the actual situation of different legal practices, nevertheless voiced out the need to move towards a common civil code. In art no. 44, under the Directive Principles for state action, the Constitution states: "The state shall endeavour to secure for the citizens a uniform civil code throughout the territory of India".

The enactment of the Hindu Code Bill has been an important step in this direction. Yet another step was taken by passing a Special Marriage Act in 1954. This Act cuts across religious boundaries. If two people – independent of their religious affiliation – decide to get married under this Act, the provisions of this Act will apply to them, independent of any personal law of the religious community they belong to.

But as it is, the source of difficulty seems to be not so much the community rights and cultural rights, which have been accepted in India

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35   Cf. Donald Eugene Smith, *Op.cit.*; For an overview of more recent debates on the question, see, Rajeev Bhargava (ed.), *Op. Cit.*

much before in the Western democracies. In this latter case, the issue of community rights and cultural rights has acquired importance as a result of large scale migrations. The difficulty is more about the *asymmetry* that exists in relation to personal laws. . Whereas the Muslim personal laws are retained, the Hindu personal laws have been changed. In the context of communal animosities and conflicts, this is viewed as a concession made to minorities, while the majority personal laws have been changed. Here the divergent perception of minorities and the majority regarding the state and its role comes to a new focus.

As in the case of the rhetoric of citizenship, uniform civil code could also become a rhetoric to serve the interest of the dominant group. We may not go into the motivation for calling for a uniform civil code in India today, nor into the contradictions involved, specially if this call comes forth from groups which are otherwise communal in their approach. All that could be said at this moment is that a Uniform Civil Code remains a goal whose realization is fraught with a lot of complex issues of politics involving the various religious communities and the nature of the Indian pluralistic society. Too much of a haste in this matter without respect to the historical development and legal practices in Indian history could acerbate the relationship among communities in India.[36] It should be admitted frankly that, at the moment, we are in a situation of many contradictions. However, if we observe the course of Indian history, we could note a certain *evolution* which moves towards unity while taking realistic account of the diversity. The same is also true in the case of uniform civil code which remains *a process* that needs to continue through dialogue and mutuality to arrive at a legal system of consensus. This will help towards peace and harmony in the society.[37]

Conclusion

Minority is so to say a "cohort concept" or a concept which envelops a cluster of issues. All that we have dealt with in this article will go to confirm this. Far from being a matter of the past, minorities have become

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36   See the very perceptive article backed by deep historical scholarship, Susanne Hoeber Rudolph – Lloyd I. Rudolph, "Living with Difference in India: Legal Pluralism and Legal Universalism in Historical Context", in Gerald James Larson (ed.), *Op.cit.* pp. 36 ff.

37   In this regard, we need to examine also the difference in the philosophy and political theory of constitution-making. There is a homogenizing conception of Constitution, as well as one which accommodates diversity and particularity. This is best illustrated by the example of a modern city made up of very

a very actual issue affecting the politics of many nations. The approach taken towards minorities is so important because the future shape of a nation and its destiny often depends on this. Globalization has added more complexity to the issue of minorities and is changing the configuration of the issue by bringing into its scope new experiences.

In present-day India we hear voices of opposition and even rejection of minority rights. But a look at the global level will suggest, that our world is trying to come to terms with this issue with ever new means, including legal ones to protect the minorities by recognizing their identity, culture, religion, and rights to establish and maintain their institutions, and so on. The trajectory of the development shows that it will not be long before minority rights become part of the international law binding all the states. In this sense, it could be said that the Indian Constitution has anticipated the global developments by the provision of minority rights. Of course, there is room for fine-tuning and negotiating within the framework of the Constitution. However, a summary opposition and rejection of minority rights can be sustained neither by reason nor by global experience.

Minority rights may not be looked at either as concessions or as defence, but to be viewed as realization of the democracy in pluralistic societies and a way to bring about social equity. For this we need to affirm basically the right of communities, which cannot be reduced to individual rights. These communities are not to be reduced simply to religious communities either. We need to focus today specially on the economically, socially and culturally marginalized minorities. The special provisions in terms of reservation or affirmative action are in keeping with the democratic spirit, and the sense of social justice that should animate the nation. Finally, the thorny question of uniform civil code for certain religious communities as the Muslims in India deserves to be considered with historical perspective and taking into account the need of a certain legal pluralism for a country of such diversity as India. Uniform Civil Code is a project and a process.

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straight roads, and uniform architectural patterns, whereas there is also the model of an old city with its winding boroughs and lanes, growing with modern roads and buildings. Such an analogy was used by Descartes, and later on also taken up by Wittgenstein. For a discussion on this aspect of Constitutionalism, see, James Tully, *Strange Multiplicity. Constitutionalism in an Age of Diversity,* Cambridge University Press, Cambridge 2002 (third reprint of the 1195 original).

Empowering Modernity
and Ambivalent Globalisation
A Perspective of the Indian 'Social' Minorities

Gnana Patrick

From the emancipatory concern of the 'social' minorities of India, this article takes an analytical look at the processes of modernisation and globalisation as they unfold in the Indian context. It argues that the phase of modernisation was an empowering one in the lives of the socially disadvantaged people. Undertaken with the support of the modern nation-state, the project of social emancipation, though beginning to take root, is an incomplete one as of now. At this juncture, the process of globalisation, an accentuated phase of modernity, has come as an ambivalent process in terms of the cause of social justice.

Modernisation was thought to be a process that had come to occupy human life irreversibly; its philosophy (modernity) considered offering a vision of development, to be only carried out with a programmatic certainty. It presented itself to be a steady process, with a stable philosophy. But, the vision and its certainty seem to be changing courses during the present era of globalisation. Of those who are impacted upon by this change, the experience of the 'minorities' looks to be very unsettling. This article attempts to reflect upon the experiences of the Indian 'social' minorities, who, besides their normal course of living, are involved in a historical project of socio-economic emancipation.

Minorities in India

Constitutional recognition of minorities in India goes by mere religious and linguistic factors. Such a restriction is only a post-independent reckoning, and, in a way, a political construction at that. The religious reckoning evolved through the colonial identification of people under religious labels and its politics of counterpoising the categories of 'Hindus'

and 'Muslims'. It got crystallised during the discourse on nationalism, and especially on the eve of obtaining the political freedom. The project of establishing a nation-state accentuated the majority-minority question further, and included the linguistic factor too at the time of the linguistic re-organisation of States.

It is necessary to take note of the fact that the discourse on minority, at a certain phase, included the social category of people too. The socially disadvantaged people, under the leadership of Ambedkar, considered themselves as 'minorities' needing affirmative actions from the part of the modern State in order both to remedy the historical disadvantages and to grow on par with the 'dominant' section of the Indian population. Ambedkar used the term 'minority' to include the Scheduled Castes too. Considering the fact that he could be accused of going beyond the "prescribed bounds", Ambedkar took care to point out that the Scheduled Castes were in fact "more than a minority", by which he meant they are the 'minorities of minorities' who deserved additional safeguards, in addition to the fundamental rights given to any citizen and the protection accorded to any minority. He worded the title of his Memorandum to the Constituent Assembly as 'States and Minorities', and under this, discussed the rights of the Scheduled Castes of India.[1] A phrase he used as "minorities in general and of the Untouchables in particular"[2] reveals the inclusive understanding he had on the concept of minority. Dipankar Gupta, a contemporary political theorist, notes that the Scheduled Castes of India were indeed considered as minorities during the time leading to Independence. He notes the fact that the Report of the Advisory Committee on Minorities dated 11 May 1949 had listed the Scheduled Castes along with Muslims and Indian Christians as minorities.[3] It thus becomes clear that in the Indian context the conceptualisation of minorities had, at a certain moment, gone beyond mere religious and linguistic factors, and had included the social category too.

An overemphasis on the value of number in recognising a minority group is another aspect of the debate on minorities today. It does not

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1   Cf. Ambedkar, "States and Minorities," in Vasanth Moon (compiler), *Dr. Babasaheb Ambedkar: Writings and Speeches*, vol. 1, Education Department, Govt. of Maharastra, 1989.

2   Ambedkar, *ibid.*, p. 413.

3   Dipankar Gupta, "Secularization and Minoritization," in D.L. Shetn and Gurpreeth Mahajan (eds.), *Minority Identities and the Nation-States*, OUP, 1998, p. 47.

take too far to realise the folly of such an over-preoccupation. For example, as many studies and statistics show, those who dominate Indian bureaucracy are a section of people who hail from a numerically 'minority' people, known as the 'Forward Castes'. Mandal Commission Report had noted that these Forward Castes constituting only 25.5 percent of the total population had a grossly disproportionate share in Central Government Services. As for example, they occupied 89.63 % of jobs in Class I category as against 5.68 % and 4.69 % respectively by the Scheduled Castes and Tribes and the Backward Castes.[4] Thus the numerically small Forward Castes category is bureaucratically and even politically the dominant one in this land, and it cannot be treated as a 'minority'.

It is time then that, taking inspiration from Ambedkar, we addressed the socially disadvantaged people too as minorities, perhaps as 'social' minorities. Incidentally, the fact that majority of those who constitute the religious minorities (Muslims, Christians, Neo-Buddhists) in India, had hailed originally from the socially disadvantaged section goes to strengthen the case of the recognition of 'social' minorities. That these people, in spite of their new religious identities, continue to suffer the age-old social discrimination is yet another fact that strengthens the case.

Encountering Modernity

A 'tryst with modernity' began in the lives of the social minorities during the colonial era. Living through the dark ages of the oppressive caste-based feudalism, these people saw the light of modernity that came along with capitalism. Capitalism downloaded itself on the Indian shores through the processes of Industrialisation, Urbanisation, Westernisation, and the likes. Along with these processes, there was yet another set of events that had begun to impact upon the socio-cultural mosaic of our country. The western model of education – subjects in mathematics, science, history, literature, etc. – imparted through the medium of English, and that too opened to the general public beyond the then extant caste-barriers, was a great event in the socio-cultural life of the social minorities. Notwithstanding the fact that the colonial machinery imparted a self-interested education to train a class

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4   Gail Omvedt, *Dalits and the Democratic Revolution – Dr. Ambedkar and the Dalit Movement in Colonial India*, New Delhi: Sage Publications, 1994, p. 334.

of persons who would be 'Indian in blood and colour, but English in taste, in opinions, in morals and in intellect,' the impact of it was way beyond the colonial calculation. And, in spite of the fact that the prime beneficiaries of the educational system were the upper caste/class people, the impact of it began to engage the socially disadvantaged masses too. Due to the benefits of education, numbers of these people got incorporated into the colonial machinery: its army, industry, administration, service-sector, etc. Mention must be made here of the Christian missionary contribution to the educational project of the subaltern masses. Along with the education in English, education in vernaculars pioneered by great missionaries who gave such essential elements as grammar, scripts, etc. to the local dialects linked the subaltern masses organically to the process of modernisation. The Enlightenment features of scientific outlook, rational construction of individual and social lives, egalitarianism, individual liberty, social dignity, self-respect, freedom, and the like were injected into the consciousness of the socially subordinated masses in and through the process of modernisation. The people began to experience a moment of empowerment in their social life.

The philosophy of modernity attendant on the grand process of modernisation impacted upon the traditional community (*Gemeinschaft*) of this sub-continent something like a meteorite. It set in motion the functioning of an ever-increasing differentiation between the individual and the community, oriented towards unfolding of a wider society (*Geselleschaft*) predicated on individual liberty, equality, democracy, and freedom. A sense of linear progress, a vision of development characterised almost by a mathematical certainty, a confidence for social construction and the likes were the modern values imparted to the people of this land.

Modernity thus mediated did not have a uniform effect. In spite of the fact that this land was projected to be having a unitary traditional Indian community, the existence of several sub-communities (castes, ethnic groups, etc) could not be ignored when it came to an encounter with modernity. Different social segments received modernity from their own level, and began to function accordingly. The individual-community differentiation of modernity took on a greatly variegated developmental course. It could be said that a person placed in the upper strata of the caste-hierarchy tended more or less to create an individual of himself/herself along the lines of the modern individual of the West. But with regard to those placed in a subordinated condition, it was not so much

the single individual but the social group as such which was seeking individuation as part of their emancipatory project. What an individual of the upper strata sought to obtain from modernity, could be sought by those subordinated people but only as a collective. It could also be said that while the upper castes tended to further their oppressive hold with the aid of modernity, the lower castes sought to empower themselves through the instrumentality of modernity. The traces of modernity's engagement with the emancipatory aspirations of the subordinated people could be found in most of the emancipatory endeavours they undertook.

Religious and Social Movements

The emergence of socio-religious movements among the subaltern people is not usually read as an outcome of people's encounter with modernity; they are, on the other hand, read as instances of faith or religious creativity of the people. Without denying its religious dimension, it needs to be noted that there is also a component of modernity in the socio-religious movements born among the socially disadvantaged section of our people. The best evidence is the presence of a discourse on egalitarianism found among all these movements. The discourse is usually conducted in religio-mythical languages, but the message is the same. Starting with emphasising the value of equality found among the deities, these religious movements reiterate in symbolic ways the equality of human beings. This claim to equality is a distinctive feature, compared to the traditional religions that usually reflected a feudal hierarchy not only among the deities but also among the human beings. It might well be surmised then that this feature of equality is a trace of modernity in the religious movements.

In addition to reiterating the elements of equality, these religious movements have invariably sought to relativise the absolutist claims of the traditional religions. A tendency to relativise the extant absolutist claims, though looks very much post-modern, is part and parcel of the modernist logic, because along with it goes the dynamics of differentiation, an essential feature of modernity.[5] Interestingly, corresponding to this process of relativisation, we can also notice the discourse on the difference and distinction a particular religious phenomenon was making over against the extant one. These features of

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5   Bob Goudzwaard and Julio de Santa Ana, "Globalisation and Modernity," in Ninan Koshy, *Globalisation – The Imperial Thrust of Modernity*, Mumbai: Vikas Adhyayan Kendra, 2002.

relativisation and self-differentiation might well be understood as rays of modernity reflected through the prism of religious movements.

Most of the instances of mass conversions to Christianity, the conversion of almost all the Mahars to Buddhism under the leadership of Ambedkar, and, number of instances of conversion to Islam embody the philosophy of modernity in a very tangible manner. These conversion initiatives have been undertaken, read from a sociological angle, 'in search of equality and self-dignity', which are very much part of the modern process of construction of a new self and identity. In a predominantly illiterate state of condition, it was the religious language that served as conduit to modernity. But among those that had acquired literacy and critical thinking, modernity had propelled rational social movements too. We see the social movements for equality emerging under the leadership of Jyotirao Phule during the nineteenth century itself. During the twentieth century, Ambedkar led a movement in the central regions of India, while E.V.R. Periyar headed a movement of rationality in the south. While the Ambedkar movement stood for social and political democracy, the Periyar movement stood for the need of rationality in human living in general and in political sphere in particular. These latter movements contributed cumulatively to the enshrining of the rational principle of social democracy into the nation-state that was being born.

State and Social Democracy

Formation of the modern Indian State was an important achievement of the modernist project. It was a political enthronement of a set of modern rational principles such as equality, regularity, individuality, liberty, etc. In it, the social minorities of our country invested their hope for social democracy and an emancipated future. It was indeed a moment of conflict between individual liberty and social responsibility. The western ideal of individual liberty might have weighed heavily on the elite section of those that participated in the making of the modern state. However, the voice of the social movements of the social minorities was also duly heard. It was at this point, the process of modernisation received its Indian specificity. It began to integrate into itself the aspects of social democracy. The nation was under the realisation that social democracy was a must in order to build a real modern nation. The western modern values of capitalism and the socialist fervour of Russian communism began to flow into the ideal of a nation-state. A strong public sector was the manifestation of Indian State's commitment to social democracy.

Within the framework of this public sector was taken up the question of affirmative action for the social minorities on whom the oppressive past weighed heavily. Suffering the ill-effects of social segregation, economic deprivation, and cultural domination, these 'depressed classes' had to be supported through several measures so that they could also emerge as modern citizens of the State. To this end, the State found the mechanism of 'reservation' to support these people with an affirmative action. 'Reservation' was the label given to these measures of affirmative actions. Under articles 330 and 332, seats were reserved for the Scheduled Castes in the Lok Sabha and under articles 78 and 540 in the state assemblies. In addition, they received reservation in employment and education in direct proportion to the percentage of their population. Reservation was a measure Ambedkar considered the best to construct a real social democracy in the country. The emancipation of the social minorities, he thought, was in the hands of the modern democratic state. Therefore, unlike other leaders like Gandhi who spoke on the nature of the nation in spiritual terms, Ambedkar spoke very much in rational terms like democracy and state.

Several social scientists, analysts, and activists have noted that reservation has begun to make a positive impact on the lives of the people. For example, Gail Omvedt has observed that "Reservation did help Dalits move ahead in government jobs, and were crucial to the fact that a small middle class section could pull itself up and with this, provide some resources and hope to a wider mass"[6]; Ghanshyam Shah reflects in the same vein when he says, "protective discrimination through reservations in government jobs and admission to educational institutions has paved the way for Dalits to enter the middle class. Upward mobility has created hope and given them confidence that there is scope for improving their condition and being at par with others."[7] S.L. Gaikward, who made a study on the condition of the Scheduled Castes in Aurangabad city, has come to a conclusion along similar line that "Protective Discrimination Policy is considered the single most important factor enabling the SCs to move out of their given position in the Hindu society."[8]

6   Gail Omvedt, *Dalits and the Democratic Revolution,* p. 332.
7   Ghanshyam Shah, "Introduction: Politics", in Ghanshyam Shah (ed), *Dalit Identity and Politics*, New Delhi: Sage, 2001, p. 40.
8   S.L. Gaikward, *Protective Discrimination Policy and Social Change – An Analytical Study of State Action on Scheduled Castes in Aurangabad City*, New Delhi: Rawat, 1999, p. 187; also cf. Viney Kirpal and Meenakshi Gupta, *Equality through Reservation*, New Delhi: Rawat, 1999.

There are many more such studies coming out on the positive role of the policy of reservation in the modernist project of emancipation of the social minorities.

Identity and Social Mobility

Mobility was one of the chief sociological dynamics that came to characterise the functioning of the social minority groups in the context of their encounter with modernity. While it was a mobility towards the middle and upper classes for those groups placed on the top of the social (caste) hierarchy, it was more a movement towards social and economic justice for the subordinated people. The social mobility as a phenomenon of modernity was part and parcel of the emancipatory endeavour of the subordinated people.

A new identity, achieved through different measures of modernity, supported with the policy of affirmative action on the part of the Government, has contributed to a perceivable social transformation among the social minorities. The new social identity of the Mahars of the Maharastra region, experienced after their conversion to Buddhism under the leadership of Ambedkar, is a case in point. Anjali Kurane, a researcher who had undertaken a study among the Mahars, has stated that "... the maintenance of ethnic identity (read *Dalit identity*) has become a strong basis for social mobility of the Buddhists in Pune. Assertion of a new identity (has) contributed to lessening of the social disabilities, dis-privileges and oppression experienced by the Mahars with Indian social system and led to certain upward mobility."[9] She has continued to add that:

> In addition to urbanisation and industrialisation, the Buddhist identity played an important role in breaking down the traditional beliefs and values. They (neo-Buddhists) show their scientific temper and rational views towards their religion and social life through various ways. For instance, they said they did not believe in destiny, rebirth, superstition, ghost, soul and black magic/witch craft, because in Buddhism there is no Iswar (God), soul and rebirth. Buddha has taught them that whatever is perceived by the eye, is the only truth. They are aware of the fact that the causes of diseases are germs, dirt and not God's curse, black magic or witchcraft. During sickness in the family, they take medical help. This trend can help in achieving upward social mobility.[10]

9   Anjali Kurane, *Ethnic Identity and Social Mobility*, New Delhi: Rawat, 1999, pp. 200-201.   10. *Ibid.*, p. 209.

Movements, Parties, and Political Participation

The encounter with modernity has also resulted in the emergence of a stream of Dalit Movement, comprising of lots of region-specific localised organisations, action-groups, etc. leading up to some form of political participation. Basing on the modernist philosophy of *organising* one's own emancipation, the Dalit leaders pioneered the movement in order to actualise the vision of emancipation. These leaders placed their hope in the modern political institution of state, parliament, democracy, political parties, etc. As for example, as noted by Sudha Pai, "Ambedkar saw advancement for the untouchables in terms of using politics to achieve social and economic equality with the highest classes in modern society."[11] The movements initiated by the leaders invariably gave birth to several political parties at later stages. The Ambedkar movement gave birth to the Republican Party of India; the Periyar movement the Dravida Kazhakam party; the Dalit Panthers' movement the party known as the Dalit Panthers of India; the Dalitbahujan movement of Kansi Ram the Bahujan Samaj Party. The list goes on.

The phase from 1980s is very significant for the Dalit movement especially in terms of its political participation. During the earlier phases, it had gone through varied moments of co-option or assimilation from the dominant political formations. For example, during the Indira Gandhi era, it was co-opted into the Congress party. Mainline Dalit leaders found them within the Congress fold. It was from the 1980s that the Dalit movement began to acquire separate political formations, which had real teeth to negotiate political power. It is then a moment of formation of separate parties and assertion of distinct identities.

The Unfinished Modern Project

As seen so far, the encounter with modernity in history had been an empowering moment in the lives of the social minorities in varied ways. But the process of empowerment is incomplete as yet. The political independence has not brought the needed freedom from social discrimination for the Dalits. As for example, a survey conducted by the Harijan Sevak Sangh in 1980 reports the high incidence of untouchability measured in terms of the following three variables:

11   Sudha Pai, "From Harijans to Dalits: Identity Formation, Political Consciousness and Electoral Mobilisation of the Scheduled Castes in Uttar Pradesh," in Ghanshyam Shah, *Dalit Identity and Politics*, New Delhi: Sage, 2001, pp. 261.

prohibitions to public wells, temple entry, and hotel entry. Painfully though, the state of Kerala, which has the record of highest literacy, reports a very high incidence of these prohibitions too, i.e. out of the 68 villages surveyed, all of them were found to be practising prohibition in all the three variables. Out of the 148 villages surveyed in Tamil Nadu, in 115 of them wells were prohibited, in 136 temple entry was prohibited, and in 36 hotels were prohibited.[12] The cruelties taking place in the heartland of Tamil Nadu, the Madurai region, where Dalits are ill-treated, their dignity outraged in public, their representatives not able to contest elections freely are markers of the deeply entrenched system of social discrimination still operative in our society. The arrogant denial of entry to the Shrinath temple in Nathdwara, Rajasthan, to a groups of Dalit activists, an event that took place as recently as on the 13 January 2004,[13] is an indication that establishing a modern civil state is not just incomplete, but still a far cry.

Economically the project is evidently an unfinished one. The economic security of these people has been always at a disadvantageous position in history. In the pre-independent era, barring a minuscule section which possessed some lands, the vast majority of these minorities were agricultural labourers, coolie workers, artisans or labourers in domestic manufacturing units. They were people controlled by landlords or intermediary tenants. Political independence did not bring a change in the economic conditions of these social minorities. The independent India privileged development along the path of industrialisation and modernisation, to participate in which these people were not immediately prepared; they had remain as agricultural labourers, coolie workers, and the like. As in the words of Gail Omvedt, "the overall result was an unbalanced industrialisation which left most of the rural areas impoverished and created an increasing gap between the organised sector (approximately 10 per cent of the workforce, according to government statistics) and the unorganised sector, defined as including agricultural labourers, cultivators, non-agricultural self-employed and unorganised wage labourers."[14] Land reforms a plan that was to empower these people became, except in states ruled by Left Governments, ceremonial and defunct.

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12   Cited in Gail Omvedt, *Dalits and the Democratic Revolution,* p. 335.
13   Mohammed Iqbal, "Dalits Barred Entry into Temple," *The Hindu,* Chennai Edition, 14 Jan 2004, p. 11.
14   Gail Omvedt, *Dalits and the Democratic Revolution,* p. 330.

Reservation has indeed begun to improve their lot; but, economic security is still a distant dream. Based on data from the 55th round of survey of the National Sample Survey Organisation conducted in the year 2000, Satish Desphande disputes the opinion that the Scheduled Castes and Tribes have improved their lot very much due to the provision of reservations. He presents the findings from the NSSO's report, according to which only 6.2% of the Scheduled Castes have entered into Class I category of government jobs as against the 40% of the Upper-castes. The inequality in the jobs reflects the general inequality present in the income-structure of the different sections of the people.

Considering all these, it may well be said that the modernist project of socio-economic emancipation is not yet complete. It is at this juncture, the social minorities are experiencing the impact of globalisation.

The Moment of Globalisation

Globalisation, as we know, is a recent phenomenon in the economic history of humanity, even though its roots are to be found in the distant past when trade and commerce moved out of one territory to another, transcending the natural barriers of sea and mountains. The Bretton Woods Institutions of the WB and IMF, born in the aftermath of the Second World War, are the agencies that lead the movement of globalisation, having the MNCs as the actors on the field. The Structural Adjustment Programme (SAP) introduced in the 90s in most of the post-colonial third world countries is the most consequential measure of globalisation. The SAP "included deregulation of private enterprise, privatisation of public enterprises, reduced role of the state in the conduct of management of economic affairs, reduction of public expenditure, dismantling of economic planning and controls, and opening out of the economy by drastically reducing custom tariffs and doing away altogether with physical control and quotas relating to exports and imports."[15]

As far as the lives of the social minorities of India are concerned, globalisation seems to be playing an ambivalent role. Growing along the path of modernity, taking the emancipatory project along the lines of modernity, they find themselves at a crossroad at the advent of globalisation. Globalisation carries ahead the dynamics of modernity: the ever-increasing differentiation between the individual and the

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15   P. R. Dubhashi, "People's Movement against Global Capitalism," *EPW*, vol. XXXVII, no. 6, 09 Feb 2002, p. 538.

community finds a new global ambience; the extended global arena seems to offer an enormity of possibilities for the particular subject to universalise itself; it breaks open the oppressive cultural particularities, relativise them radically, and frees the individual to emerge victoriously as an universal subject; etc. However, the same process of globalisation goes against the benefits of modernity achieved in a historical context: it weakens the modern State which these people have relied upon for their emancipation; it reduces the discourse of social justice to individual liberty, and to crass individualism too; it creates new areas of exclusion on the basis of economic behaviour; ultimately, it seems to unleash the negative elements of modernity, with an unbridled momentum, allowing it to trample upon the values of social justice. It would do well to take a look at the way this ambivalence is unfolding today.

Accentuation of Individuation and Equality

Modernity has set in a logic of atomisation based on which an ever-increasing individuation takes place. It has resulted in placing a premium on the individual, and has brought the individual out of the thick clouds of primordial collectivities. The emergent individual has equipped himself/ herself with rationality, a vision for progress and development, a civil space that guarantees such atomised enterprises of development, a social dignity that instils confidence, and a cultural mood that inspires creativity and autonomy.

It may be said that globalisation has accentuated the process of individuation. It has offered a global space with unlimited possibilities for the individual to freely promote himself/herself. The creative dimension of the individual self finds a wider ambience to express itself. Closed-up traditional societies such as ours seem to break open in favour even of its underdogs. The currents of increasing individuation and increasing occupational diversification in the external world converge and offer immense possibilities for the downtrodden self to emerge successful. It is worth noting an observation by Ghanshyam Shah in this regard: "Occupational diversification, albeit to a limited extent, has taken place within the Dalit community. Those Dalits who have some assets for investment and/ or marketable skills, have received university education and have become professionals, entrepreneurs, white-collar employees, professional politicians, etc. The present agenda of the state of economic liberalisation and globalisation may, to some extent,

accelerate the process of diversification of occupations in society, which will also include Dalits."[16]

Globalisation creates an atmosphere where the principle of equality, even if rooted in capitalist individual liberty, asserts itself. Ghanshyam Shah observes that, "there is an overall acceptance of equality as a desirable norm, thanks to the permeation of the liberal and radical philosophical discourse, capitalist and technological development, including communicational advances and changes in society. It is increasingly becoming an outdated moral value under political compulsion and market economy to hold that inequality is desirable and necessary, the consequence of one's karma of the past birth."[17] This has contributed positively to the subaltern subjects of our country.

Universal Citizenship, Liberating Confidence

The cultural and economic processes of globalisation contribute more and more to the evolution of a universal citizenship. A citizenship recognised in a global space is in the direction of freedom as far as the closed societies are concerned. A traditional society like ours where caste and patriarchy have determined a rigidly closed social system, where the current phenomenon of cultural nationalism is either reinforcing or creating further fetters of a closed society, the possibility of a global citizenship is liberating. It instils a new self-confidence and assertiveness. Reflecting on the performance of the Dalit Diaspora community in foreign countries, Vivek Kumar observes in a similar vein on the opportunities globalisation has opened up for mobility, and thereby to a newly acquired confidence and assertiveness. It would be in place to listen to him:

> The mobility which Dalits have attained in different countries has motivated them to assert that they are not inferior to any one. They have argued, "look we have demystified the ideal type image of Dalits as dirty, drunkard, devoid of any merit, beast of burden, etc, by developing ourselves without any governmental help." In the same vein, "by attaining the mobility in different realms of foreign society without the help of the protective discrimination we (Dalits) have made a point that nothing is inherently wrong with us. It is only because of lack of democratic social conditions in Indian society that we have lagged behind. If we are provided

16   Ghanshyam Shah, "Introduction: Politics", p. 40.
17.   *Ibid.*, p. 39.

a democratic social order we can also perform like any other person and will not need any type of reservations."[18]

With the support of the globalising forces, and in the global space that emerges beyond regional or national boundaries, sections of the Dalits are constructing a self for themselves, which is emancipatory in many respects.

Opening a Channel of Cultural Creativity

Emancipation of social groups from historical oppressions, nay, any human advancement need cultural creativity and cultural energy. Contrarily, suppression of these energies goes with agendas of dominance or hegemony. Globalisation, by relativising the traditional cultures of dominance, has contributed to the breaking up of the oppressive shield, and has opened new channels for the hitherto suppressed cultures. In the Indian context, it has broken open several of the hegemonic *meta-narratives* of the traditional society. For example, the myth of purity-pollution, which is at the core of the caste system, is being challenged. Kancha Iliah notes this point in the following lines:

> In the cultural realm, globalisation seems to have opened up a new channel of hope for the historically suppressed masses. Modern sociological studies have shown that the Brahminic notion of purity and pollution in relation to ritual-culture, food habits and dress code kept a majority of India's masses as cultural slaves. Productive culture was defined as impure and the ritual-consumerist culture constructed as pure and great ... Cultural globalisation negates the Brahminic myth of purity and pollution and liberates the Dalit-Bahujans in several ways. The first and foremost liberation takes place with the simple fact that what is condemned at home becomes, in a globalised culture, a positive commodity for sale. Their condemned self becomes respectable.[19]

As noted by Kancha Iliah, in the Indian context, this aspect of cultural opening has solicited the emergence of subaltern cultures, which, in turn, have provided the possibility of a secular productive culture to emerge. This certainly offers an alternative to the project of spreading a religiously communal culture.

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18   Vivek Kumar, "Understanding Dalit Diaspora," *EPW*, vol. XXXIX, no. 1, Jan 3-9, 2004, pp. 115.

19   Kancha Iliah, "Cultural Globalisation," *The Hindu* (Online Edition), 22 February 2003.

Granting the fact that several aspects of globalisation, such as mentioned above, are in the direction of contributing to the emancipatory project of the socially disadvantaged people, it is also necessary to take a look at those dimensions, which are playing a counter role.

Weakening of the State

As most of us are aware, one of the victims of globalisation with serious consequences, especially to the minorities, is the State. States and their institutions are weakened, their roles eroded, and their responsibilities severely restricted by the workings of globalisation. This progressive weakening of the State has serious consequences to the lives especially of the minorities. The social minorities like the Scheduled Castes are to face the challenge of their support system being drawn from below the feet.

The Dalit movement in India, as noted earlier, has vested its hope of emancipation with the reality of a democratic welfare State. The State for Ambedkar was to be constructed on the rational principles of social and political democracy. At the core of the democratic principle is the individual, who is capable of interacting and even competing with each other on equal terms. To create such an individual in the Indian society, where the individual is essentially tied to social groupings from which s/he draws unmerited advantages on the one hand, and severely paralytic impediments on the other, serious measures are to be undertaken by a common agency like the State to create individuals who are on par with others. To this end, Ambedkar and his movement vested the hope with the Welfare State of India.

The Bhopal Declaration, that came out from the most recent Conference of the Scheduled Castes and Tribes held in Madhya Pradesh, "sees the state as the real guarantor against the discriminatory practices..." and holds that "every walk of life in India should be subjected to rigid state control till society attains civility and social democracy matures."[20] As Ghanshyam Shah observes, "Dalits have staked a lot on state intervention for improving their lot, as society on the whole is either indifferent or hostile to their plight. Though a large number of them – agricultural labourers, small and marginal farmers, workers in informal sector – often protest and occasionally launch militant struggles against the state and the dominant sections of the society, they are still

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20   Aditya Nigam, "In Search of a Bourgeoisie – Dalit Politics Enters a New Phase", *EPW*, vol. XXXVII, no. 13, p. 1192.

too weak to make a decisive impact on the ruling classes."[21] It is then a matter of serious concern to see the State withering under the heat of globalisation. It is quite ironical that the SAP programme places undue pressure on the poorer countries to withdraw subsidies and other supportive measures, while the developed countries continue to do so without any difficulty. Dhubashi notes this fact when he says, "while rich countries in the name of the free market economy and a structural adjustment programme want the poorer countries to abolish subsidies, they have managed thus far in the WTO agreement to protect huge subsidies to their own agricultural producers who are also given several other supporting services."[22] This betrays an aspect of hegemony hidden in the globalisation project.

Making the Protective Measures Ineffective

The words uttered by Ambedkar in the Constituent Assembly are worth reflecting over: 'On 26 January 1950, we are going to enter into a life of contradictions. In politics we will have equality and in social and economic life we will have inequality.' To live with equal opportunities under one political unit was the concern uppermost in the minds of the subordinated people while establishing a nation-state. They felt that if the social and economic inequalities were not systemically remedied, the political independence would only be a travesty of freedom and a sign of contradictions. Therefore, the architects of the Constitution thought in terms of constitutionally ensured affirmative actions in favour of the subordinated. Over against the enormity of the socio-economic discrimination/deprivation the people had suffered, these constitutional provisions were only a small measure a modern State could think of. These measures have, as already noted in a previous section of this article, begun to bear fruit to the extent possible, and are continuing to enable the people to remedy their limitations and emerge as equal citizens.

Today, the policies of globalisation make the measures of reservation fatally ineffective. Reducing the space of the public sector where the policy of reservation operate, and privatising the opportunities of employment and education are negative processes that seriously undermine the working of the affirmative action. In yet another step, the whirlwind of globalisation is taking away the educational process from within the purview of individual countries to a global plane.

21   Ghanshyam Shah, "Introduction: Politics", p. 38.
22   P. R. Dubhashi, "People's Movement against Global Capitalism," p. 540.

Country-specific planning for education is being given the go-by. In a country like ours, it has disastrous consequences, especially for the social minorities. Education, supported with reservations, was emerging as a strong conduit for the SCs, STs, and OBCs to development and empowerment.

Kancha Iliah opines that there is a Brahminic ploy behind this process of shrinking of the public sector and undermining of the policy of reservation. He says: "When members of the Scheduled castes and tribes began to be visible in bureaucratic structures at the all-India level (and OBCs at the state level) the brahminical leaders started arguing that 'reservation' was a negative mechanism and must be done away with. The threat of de-brahminization of institutions was foremost in their thoughts. In the 1970s and 1980s, therefore, they started deliberately undermining and destroying the public sector institutions and productive centres. Public sector funds were siphoned off to construct huge private properties. The mechanism of reservations was cutting into the brahminical preserve called the state economy."[23]   Whether there is a ploy or not, it needs to be noted that reservation is one of the areas the ill-effects of globalisation and the anti-sentiments of the Upper Castes are converging.

Increasing Fragmentation and Violence

Simultaneous to, and even consequent upon the weakening of the State, we find increasing fragmentation of the social life along such lines as ethnic, religious, linguistic, regional, and the like. Fundamentalism, communalism, militant forms of micro-nationalism, etc. are on the increase. It is in place to note an observation in this regard by Professor David Ray Cox:

> "... as the state weakens it is factions which arise to take its place, using the vacuum created by the weakening of the state as an opportunity to expand their own power, while also to some degree simply expanding to fill a vacuum. This phenomenon is thus part of the explanation of the rise of religious fundamentalism, of right-wing ideologies and of resurgent ethnic groups. There is no potential for global structures to fill the void created by any weakening of this state, while modernisation has tended to weaken

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23   Kancha Iliah, "Towards the Dalitization of the Nation," in Partha Chatterjee (ed) *Wages of Freedom – Fifty Years of the Indian Nation-State*, OUP, 1998, p. 279.

communities and strengthen individualism to the extent that any void will not usually be filled by community-based structures".[24]

Vandhana Shiva too reflects on similar line in the following words:

"Economic and political exclusion, and the erosion of national economic sovereignty is making many young men turn to terrorism and violence as a way of achieving their goals. The erosion of economic nationalism and the growth of economic security is also providing fertile ground for the rise of right wing fundamentalist politics, with parties using the reality of economic insecurity to fan the flames of cultural insecurity, and filling the vacuum left by the collapse of economic nationalism and economic sovereignty with the pseudo nationalist agenda of 'cultural nationalism' ".[25]

These and other such forces of violence affect, more than any one else, the minorities, whether they are religious, gender, linguistic, ethnic, social, etc. The violence let loose on them is playing havoc in their developmental programmes, and on their hopes and aspirations. When violence breaks out, it is usually the minorities that bear the brunt of it.

The violent attacks against minorities committed in the recent past are not mere accidental flare-ups. The Gujarat pogrom that killed 2000 people from the minority community needs to be seen against the fundamentalist forces unleashed at the increasing momentum of globalisation. The high-pitched political discourse predicated on the majority-minority divide, the violence engineered along these lines have more to do with the effects of globalisation too.

New Forms of Social Exclusion

A new form of exclusion based on the economic ability to compete or not is on the offing. Theorists of globalisation have pointed out that the centrifugal forces of globalisation will leave the poorer countries and the poorer section of people within any country more and more poor and marginalised. India, being a poorer country in terms of the economic ability to compete with giant global competitors, will find its interests and developmental plans sidelined or marginalised. While this being the case in the global scenario, what happens within the country

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24   David Ray Cox, "Globalisation, the State and Social Movements," in Debal K. SinghaRoy, *Social Development and the Empowerment of Marginalised Groups*, New Delhi: Sage, 2001, 42.

25   Vandana Shiva, Internet Material, 2nd of April 2003.

will marginalise more acutely the section of people who already find themselves in a position of marginalisation. The poor people of our country, majority of who are from the Dalits and other backward classes, will find themselves being left out in the race for competition. While the economically well-off section of the country will take advantage of the forces of globalisation and participate in the global economic processes, the poorer section will experience the frustration of not being able to compete. An observation by David Ray Cox reflects on this point further:

> In most states there exists a section of the population which is reasonably well-placed to take advantage of world developments. By dint of their education, wealth or power, they can become participants in the global competitive market place. The great majority of their compatriots, however, have little chance of doing so, and face the danger of becoming marginalised. There are some clear reasons for this state of affairs. An era of intense competition, when the state is unable to exercise much control over development, will almost inevitably give rise to a situation where people are, on the one hand exploited, and on the other hand, provided with no access to any form of safety nets or protection, so that they have no choice but to acquiesce to unfair systems.[26]

Benefiting the Middle Class

An analytical look at the process of globalisation would reveal that it is a process that strengthens and benefits the middle class, even while pushing the poor further down the economic ladder. Making of a middle class is a process operative at different layers of the global society. At the global level, those countries with the power for competition get absorbed into a middle class stream, and at the level of a particular country, those section of people who have the power to compete enter into the middle class net. In the Indian context, as noted by D. L. Sheth, "the programmes of economic reforms being implemented as a part of globalisation package, have consolidated and enriched the old middle class. The 'growth' of this class largely represents the rise in the purchasing power of the small middle class that emerged during the colonial rule and expanded during the initial four decades after independence, covering largely the upper and middle strata of the traditional social structure."[27]

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26   David Ray Cox, "Globalisation, the State and Social Movements," p. 43.
27   D. L. Sheth, "Globalisation and New Politics of Micro-Movements," *EPW*, vol. XXXIX, no. 1, Jan 3-6, 2004, p. 47.

As far as the socially disadvantaged sections of our people are concerned, it is mostly a losing battle. Barring a very minuscule section from among them who have upgraded themselves economically during the colonial era, to the vast majority of the people it means a further push backwards. The expanding of the middle class has meant further narrowing of opportunities for the socially disadvantaged section of our people. D. L. Sheth observes this fact as follows:

> "The few avenues of upward mobility that the polices of the Indian state had opened up for the disadvantageously located populations in the traditional social structure are now narrowing. The market is increasingly becoming the only avenue for upward mobility, and that too is monopolised by the upper strata of the caste society, using their traditional status resources. Thus economic globalisation offers ever rising standards of living to those entering the market with some entitlements usually available to members of upper castes, given their resources: land, wealth, social privilege and education. For large segments of the population outside the charmed circle of the market, and disadvantageously located in the traditional structure, it means malnutrition, semi-starvation, disease and destitution."[28]

An Alienated Human Rights-Discourse

It is gratifying to note the fact that discourse on human rights is increasingly becoming a global phenomenon. Issues of human rights happening at micro levels get highlighted in global forums, exerting a global pressure on the violators, be they individual or corporate, to amend. Globalisation has globalised the human rights discourse. However, there are also ill-motivated discourses present within this global human-rights discourse. A hegemonic agenda of the globalising countries to make other countries fall in line is also addressed in the name of human rights. It is not without reason that real human rights issues of poverty, illiteracy, social justice, etc. are underplayed in the global human rights discourse. An observation made by D. L. Sheth in this regard is revealing:

> "Some 'international' human rights groups today seem to act as political pressure groups on behalf of the hegemonic global forces, seeking to prevent the peripheral countries from making certain policy choices in areas such as land-use, labour legislation, exports and so on. Although this is done in name of universalising human

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28   *Ibid.*, pp. 47-48.

rights, selectivity of issues and the targeting of particular countries often betray their particularistic nationalist (western) bias. In this new hegemonic discourse the thinking on human rights has been dissociated from concerns like removing poverty, fulfilling basic human needs and social justice. Poverty is increasingly seen as the poor peoples' own failure in creating wealth, not as an issue of rights of the poor. It is no longer seen as a moral issue. In other words, the global discourse on human rights has ceased to be a discourse regarding social and political transformations; it has, instead, become a discourse about possible conditions that the powerful, 'developed' countries can impose over other countries, ostensibly for bringing about a global-legal regime of rights."[29]

Conclusion

The following may be stated, by way of conclusion: The emancipatory project of the social minorities of India has entered a new phase at this age of globalisation. The phase of modernity, as it has been discussed above, was the initiator of an emancipatory ideal and praxis in the lives of the socially disadvantaged section of our people. The multiple features of modernity stood by these people in an empowering manner, unequivocal in its support to their cause. The people undertook to actualise their emancipatory ideals through movements (social, religious, political, etc.), political parties, and the modern democratic State. Gradually the emancipatory project began to engage the masses of these sections of people. While these people in general began to acquire a new social identity, a section among them benefited politically and economically.

The emancipatory project remains unfinished. The subordinated people as a whole have not improved their lot economically, politically, and not in the least socially. Their social emancipation, economic advancement, and political participation remain so much intertwined with the maturation of social, political and economic democracy in this country. Their faith in social justice is so much integrated with their hope in the agency of the State. While such is the condition, they find globalisation increasingly taking hold of this country. A process that supersedes and even undermines the State is at work in this phenomenon of globalisation. The discourse of individual liberty to the exclusion of the consciousness on social justice is yet another ill-effect of this

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29   *Ibid.*, pp. 48-49.

globalisation. Globalisation thus is cutting an ambivalent figure to these subordinated people. Modernity as it manifests itself in the contemporary process of globalisation seems to be not unequivocally with the social minorities for the cause of social justice.

An observation made regarding the behaviour of modernity by Bob Goudzwaard and Julio de Santa Ana, in their article entitled, "Globalisation and Modernity," is in place here:

> "Modernity is about freedom, equality, the organisation of well-being and emancipation, but when these elements do not naturally fit together, the modern era cannot *a priori* exclude a practice of oppression and inequality... It has appealing aspects like the accentuation of human rights, the emphasis on democracy and emancipation in place of authoritarianism, and its potential to create higher standards of living through economic growth. But there are disturbing aspects, shadows too like the risk of oppression by societal mechanisms, the clear lack of respect for non-Western civilizations, the march to unrestrained forms of individualism and collectivism."[30]

Modernity is playing truant in the lives of the subordinated people in the age of globalisation. In the Indian context, considering the fact of an unfinished modernist project of social emancipation, globalisation has come very much as a moment of *ambivalence*.

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30   Bob Goudzwaard and Julio de Santa Ana, "Globalisation and Modernity," p. 8.

Women as Social Minorities

Well-being in the Age of Globalisation

Pushpa Joseph

This article uses the Capabilities Approach of Amartya Sen in order to
explore whether the liberal ideologies of globalisation have really empowered
women in line with the claims made by the ideologues of the market economy.
Using *well-being* as a heremeneutical category, it proposes an alternative
methodology called the 'incarnational approach' that resonates with people's
struggles for encountering and challenging the onslaughts of the global era.
Such an approach will help the minorities continue the struggle with hope.

"The aim of governments at the time of war or peace is not the glory
of rulers or races, but the happiness and well being of common men
(and women.)[1]" This caption mounted on a plaque, it is said, adorns
the small central table at the presidential room where President Abdul
Kalam receives his visitors. The primary objective of governance is to
ensure the well-being of people. The State, the instrument of governance,
or any other body entrusted with the power of governance, must strive
to accomplish it. Welfare and prosperity of all people and the happiness
of common men and women must be the criterion from which any
policy, both global and local, is judged.

There are many in governance who see globalization as an equalizing,
empowering and liberating force. However endless question may easily
be posed - well being for whom—for *all* people? For the upper classes
and upper castes? For the emerging middle class? For the impoverished
man on the streets? For women? For a section of people, for the majority
or the minority, and so on? Do the consequences of globalisation affect
different categories of people in the same manner? or Does it have
varying effects on different segments of society? Certainly there are

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1   (and women) added by me.

tensions and conflicts within groups, classes and communities. What ensures contentment for one group may not accomplish the same for others. However, the greatest good of the greatest number is the accepted guiding principle, in a democracy.

The indispensable prerequisite for safeguarding quality of life is the existence of peace and justice, both internal and external. Any policy, which enkindles internal dissension and glaring inequality, not only disturbs peaceful co-existence but hinders the basic right to a dignified life. Such policies in the world, be it economic, social or political, will act against ensuring happiness and a good quality of life.

Well-being: A Spiritual approach

Most schools of Indian philosophy, from time immemorial have emphasised self-realisation (*vijnana/atmajnana*), peace (*santhi*) and happiness or bliss (*ananda*) as the supreme goals in life. Sri Aurobindo stressed that the Indian ideal incorporates both the physical and the mental states of existence. It requires the fulfilment of some basic physical as well as spiritual needs. A poignant question arises as a result. What are the possibilites for women and the social minorities to achieve well being as such?

A Wholistic approach

The concept of well being simply said is based on the notion that "not just the quantitative measurement of a nation's wealth, but the qualitative assessment is equally important."[2] It therefore follows that the sole indication of a nation's progress is not the GNP per capita. A wealthy country does not necessarily imply that its citizens enjoy authentic well-being. For example statistics show that even in the developed nations crime is on the increase. Secondly we have enough evidences to show that the illusion of well being promised by globalisation is directed only to a few. Such an individual and privatised notion of well being is perpetuated by values like greed, fear, selfishness and the like. It is based on an individualistic approach to life. Quite contrary to that an approach to well being that comes from the marginals and social minorities most often is a communitarian approach. Care and communion foster such an outlook. Embedded in a doctrine of connectedness and relationality it bears witness to their sense of the dynamic, vivacious

2   Bharathi Ray, Online edition of "Globalisation and Women in India: A Women's Studies Perspective."

and vigorous nature of life and reality. Thus their sense of blessedness is a sense of fullness, sense of oneness and sense of mystery. An imprint of divinity permeates into every nook and cranny of their very enterprise of living.

The Capabilities approach

The Capabilities approach has been suggested by Amartya Sen in a number of his works. According to the concept, a person's well-being may be understood in terms of his or her "ability to do valuable acts or reach valuable states of being". Sen illustrates that the expression 'capabilities', signifies "the alternative combinations of things a person is able to do or be - the various 'functionings' he or she can achieve."[3] In line with Sen, applying the capabilities approach to a person's well-being means appraising that person's ability to achieve various valuable 'functionings.' In addition it also involves the ability to choose from a combination of alternatives in leading a life.

Let us reflect on what those functionings are? Does it encompass both the realm of *doing* as well as *being*? To be free from starvation? To be free from ailments? To have economic self-reliance? To be employed according to one's choice and potential? To be guaranteed human rights and dignity? To have self-respect? To enjoy some means of freedom—religious, social and mental? To be socially and psychologically secure and be happy and peaceful?

In my opinion it includes a person's ability to have some amount of all these functionings in addition to the possibility of opportunity for choice. Choices that would ensure for him or her and for his or her community and world a good life. Individuals differ from each other in the emphasis they give to each of these 'functionings.' Nonetheless all these are significant aspects of an individual's and a community's life. It is important to guarantee that these functionings enhances not only a person's well-being but also the community's. Given this approach to well-being, let us examine the impact of globalisation on Indian women's life-situations.

Globalisation and Fluid Borders?

The project of globalisation functions on an illusion of unity. It takes the whole world as a single market. It is based on the notion that the

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3   As quoted in ibid., 2. Also see Nassbaum, M.and Sen, A. K. eds. *The Quality of Life*, Clarendon Press, Oxford, 1993 and Basu, K. 'Achievements, Capabilities and the Concept of Well-being', in *Social Choice and Welfare*, 4, 1987.

globe is one single system for decision-making. This means that there is free movement of goods, free movement of services and free movement of capital throughout the entire world. Simultaneously there is opening up of national economies to global markets. This is accompanied by a corresponding reduction in the role of the State to shape national policies. However, in an environment of globalisation, the association and connections between developed and developing countries poses some valid questions. Can we allow globalisation to encroach upon the State's potential to conceive and chalk out policies, especially for the benefit of the poor? It is very evident that since globalization takes the whole world as a single market, labor is losing its voice. Should not globalisation also imply free movement of labour? Should there be differentiation between national and international labour, if there is no distinction between national and international capital? Moreover through the project of globalisation, we have more knowledge-intensive and capital-intensive industries. But at whose initiative, and on whose terms? Moreover if free inflow of capital is followed by free outflow as well, will there be adverse effects on a developing country's economy?

SAP – The Structural Backbone

Structural change is an integral part of globalisation. It is a process of transformation of agricultural economies to industrially developed ones. This process is largely shaped by exposure to international markets both in terms of production and of consumption. As is obvious, a country will harvest dividends from the process only if it has the ability to compete internationally. As such the ability to compete in a global level is the crucial factor here. However, since the world order is unequal, competition is necessarily unequal. The question that naturally emerges is how far can developing countries like ours meet the challenges of unmatched competition? How far can a country like ours absorb the shocks of inequality in its socio-economic system? Globalisation is meant to work through domestic structural adjustment policies, by shifting emphasis from the State to the market. As such what would be the short-term and long-term impact on its people? And in a developing country like India does SAP serve the interests of women, especially poor women, both in the work place and in the home front?

Women as Social Minorities

In India statistics show that unemployment rate for educated women is still very high. Women's oppression in all spheres is ubiquitous. In

most countries of the world women form a disadvantaged section vis-à-vis men. India's economy has to fight an unequal battle with the industrial countries in the global market. As such Indian society is doubly hampered because of the burden suffered by women, augmented by the consequences of this unfavourable or managed competition. It is partly true that a small section of Indian women belonging to the elite and the upper middle class have gained by the exposure to the global network. Middle class women and educated women have greater opportunities to enhance their career because of the international links. More women are engaged in business enterprises, in international platforms like the Inter-Parliamentary Union. Freer movement of goods and capital is helpful to this section. But what about the majority of women? A critical feminist analysis of the so called development brought forth by the free market economy smacks of a spurious kind of well-being. Let us explore ways in which it effects women in at least three spheres.

Marginalization of Women in Economic Activities

Marginalisation of women in economic activities mainly take place due to the new technological inputs globalisation has introduced. Traditionally it is men who are offered new occasions for learning and training. Thus globalisation excludes a whole lot of unskilled groups of people most of whom are women. Among this mass of exploited working people, women are particularly oppressed and exploited. Let us take the example of rice, a befitting case since we are in the international year of rice. New rice technology has given rise to higher use of female labour. However the increased workload for women are in operations that fall within the category of home production activities. These categories are often unrecorded and more than often unpaid. While on the contrary, the application of commercial chemicals like fertilisers and other plant treatment, essentials for new rice technology like HYV, are done solely by men.

Lack of know how and skill is compounded by the fact that in India, where food and other necessities are scarce, poor families, for sheer economic reasons, feed their girl children less than their boys, as boys are perceived as major breadwinners. This is among the reasons for the startlingly low ratio of women to men in India (927:1000). Rajani X Desai illustrates varied ways in which women from all categories have been affected economically by globalisation. In her paper entitled *'Working Women of India Under IMF Rule'*, she explains the dire consequences of such a stress.

To appreciate the full brutality of the IMF-World Bank programme of 'austerity', during which ration prices of foodgrains (and therefore also the open market prices of foodgrains) have doubled, we have to keep in mind this already suppressed and starved condition of the masses of women. The slashing of ration distribution quotas amid the worsening conditions has meant additional time spent each month standing in desperate lines for dwindling rations. On a national scale, that means literally billions of women-hours expended in meaning-less labour.[4]

During the time of any state festival like the Onam in Kerala, or the Pongal in Tamilnadu, both meant to be celebrations denoting prosperity and well-being the state distributes free saris and dhotis. The fragile silhouettes of bent women standing in those winding rows are good illustrations of the stony and unfeeling hearts of the masters of globalisation. This is a heart-rending scene yet has become normal that it often fails to move the inner eye. The litany is still unfinished according to Desai.

"Four-fifths of all women workers toil in the fields — agricultural labourers or poor peasants. The trends of retrenchments in the cities and industrial recession has meant that there are even ways for women to leave the village. Without a proper independent livelihood in the village (for lack of adequate land) or a job in the city, working women in the villages are even more at the mercy of the local landlord/moneylender/contractor/trader nexus. Over the years, the industrial workforce has grown at a crawl in India; and women's share of that small workforce has shrunk, From one in three in 1911 to one in six in 1971. With the present wave of retrenchments, women are the first to go in all industries, reducing their share in the organised sector yet further."[5]

The 'unorganised' sector is the super-exploited sector to which women workers are mostly confined. Women can often be found in endless numbers in the export industries, stitching garments, assembling electronic circuits, cleaning shrimps, plucking tea and so on - all at starvation, or less-than-starvation wages. These industries earn the foreign exchange to service the country's external debt. In the Asian

4   Rajani X Desai, "Working Women of India Under IMF Rule" down loaded from the internet.

5   Rajani X Desai, "Working Women of India Under IMF Rule" down loaded from the internet

public hearing a woman shared her experience. "I am a parent in a very poor family of seven children. My husband's low wage as a sugar-plantation worker is not enough to feed us. Hence I decided to work in the sardine factory where we work from seven in the morning until four the next." Another girl labourer from another fish factory continued, "Sometimes we faint at work, since many days we sleep only two hours. We insert fish into cans, as many as 3,000 a day. We slash our fingers on the tins and fish bones, our blood sometimes dripping into the cans."

For managements, the reason for hiring women workers is that women encounter more obstacles getting organised than men workers do. However, when women do get organised, of course, they get meted the same beatings the men workers do. This was glaringly evident a few years ago when hundreds of women workers of the Santa Cruz Electronics Export Processing Zone were 'baton-charged' by the Bombay police and packed away to distant jails.[6]

There is loss of guaranteed employment, due to privatization. Many people are anxious and are unable to imagine a secure and worthwhile future. As a result there is despair. This has given rise to different kinds of conflicts, social unrest and increase even in violence in the family.

Oppression of Women through Violence in Family

Women as usual are being made to pay the social cost of increased violence. Since SAP has led to the unemployment of a large number of men, it has increased frustration, tension and fear of job insecurity. Family violence has increased, rape has become an everyday event, and dowry deaths, an outcome of consumerism, are increasing. Statistics on rape and child sexual abuse in India present a grim reality. The Indian Ministry of Women and Child Development says that on average, one woman is raped every hour in India. Fourteen wives are murdered by their husbands' families every day for dowry related reasons. Interestingly globalization has not created a change in the traditional approach to women as second class citizens. Women's groups on the whole feel that deeply conservative attitudes about sex and privacy within families have contributed to brutally ineffective rape laws. A raped woman also faces immense problems being cast out from her family and community. Hardly a day passes without a case of rape being reported in Indian newspapers and media. According to an article in *Time*

6   Raheeda Gulani, "Women and Globalisation" down loaded from the internet.

magazine, deaths in India related to dowry demands have increase 15-fold since the mid-1980s from 400 a year to around 5,800 a year by the middle of the 1990s. In 1995, the National Crime Bureau of the Government of India reported about 6,000 dowry deaths every year. All of these official figures are considered to be gross understatements of the real situation. Unofficial estimates cited in a 1999 article by Himendra Thakur "Are our sisters and daughters for sale?" put the number of deaths at 25,000 women a year, with many more left maimed and scarred as a result of attempts on their lives.[7] Furthermore under the challenges of globalisation, the economy has been strained to the utmost. It is unable to bear the burden of necessary health-care and educational expenses. Women, who are the weaker sections are denied the physical care they deserve. Maternal mortality is extremely high, anaemia is common and women die in large numbers from communicable diseases while increasing use of amniocentesis is killing yet-to-be born women in mothers' wombs.

Cultural Onslaught on Women

Another important area of exploitation is the cultural and social onslaught on women under the so-called economic reforms. In the last seven years, much energy and money has been spent in India over 'beauty contests'. This phenomenon has ranged from the local level to the international. It is true that the corporations who advertise their products through these shows garner the benefits of these fashion displays. Nonetheless it is also evident that the entire display has its impact on the minds of Indian women, particularly urban middle and lower middle class women. As a result beauty parlours and facial creams which promise to increase fairness have ever been on the increase. Thus Globalisation, has augmented the cosmetic industry, which has aggressively perpetuated through the media the notion that for women beauty and only beauty is everything, thus turning women's bodies into cheap sex objects. As Maitreyi Krishnaraj says, the cosmetic industry in India has grown ten-fold in the 1990s, from Rs 2,311 crore in 1990 to Rs 18,950 crore in 2000. The leap continues with TNC products flooding the market. The spurt in Miss India-type shows right down to the college and *galli* level has added to this culture. The promotion of the cosmetic industry has led to a leap in the objectification of women.

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7   Statistics from World Socialist Website.

In addition, the emphasis on the promotion of the tourist industry has resulted in a quantum leap in prostitution.[8]

Our analysis has made it clear that majority of the Indian women cannot hope to do any 'valuable functionings' under the sway of the global market. The "capability" to choose from alternatives is absent. As Bharathi Ray underscores, "In terms of the age-old Indian concept of life, SAP has not provided any physical or psychological base for *ananda,* the increase in violence on women makes a mockery of peace, and lack of education and nutrition is not the best means for attaining self-realisation."[9] I am in no way suggesting that all this is due to globalisation. I am only exposing certain ways in which globalisation has reinforced the existing gender inequalities. It is important to explore and advocate globalisation with a human face for the empowerment of women and other socially marginalised groups. In the Indian context, it implies that the State should intervene for directing ways of the flow of foreign investment. In addition the State should urgently provide suppport (e.g.employment and poverty reduction policies) to women and weaker sections of the population, while giving them a role in shaping policies.

Towards an Alternative Model

People's movements across the world are working to demonstrate that the path to sustainable development and social and economic justice does not lie in neo-liberal globalisation but in alternative models for people-centred and self-reliant progress. Since 2001, the World Social Forum is questioning the rules of investment and governance dictated by the World Economic Forum. It proposes democratic, people-centred alternatives to imperialist globalisation. As this article is being written the 4th International meeting of the World Social Forum is in progress in Mumbai. More than 100,000 men and women are gathered in order to challenge an oppressive culture under the banner of liberalisation and spurious well-being in order to affirm that another world order from the crucible of people's struggles is possible. Such an alternative cannot come from a system that continues to alienate people from each other by building 'cyber walls through cyber spaces' but from an open space like the open house of wisdom in the Book of Proverbs, for exchanging

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8   Maithreyi Krishnaraj, "Globalisation and Women in India" in *Development in Practice*, Vol.9 No.5, 1999.

9   Bharathi Ray, Online edition of "Globalisation and Women in India: A Women's Studies Perspective."

experiences and for strengthening alliances among mass organisations, people's movements and civil society organisations.

I read, a couple of weeks ago, the tremendously inspiring life story of a woman of our own times who, in my opinion, possesses an alternative people centered model of well-being. Her name is *Dayabai* and she has been hailed as "The Lady with Fire."[10] A 63-year-old, who originally hails from *Kerala*, she has been living for more than twenty years among the *Gonds* of Madhya Pradesh. The *Gonds* are the exploited tribals of the state who are reduced to mere "monkeys of the forest" (as the book records) by the harassment of the high caste landlords. Dayabai's presence among the *Gonds* has led to their remarkable empowerment. They are now united and confident enough to strive for their rights, a feature that was lacking before "The Lady with Fire" ignited the embers. *Dayabai's* daring nature can be attributed to the farsighted and prophetic quality of her gaze. In the epilogue on the life of *Dayabai*, Swami Sadanand affirms, "It is extraordinary for a woman to live alone in such a remote village of India. For me it is something like the incarnation. *Dayabai* is like a burning candle. The light is there. That is enough. And she makes a difference."[11]

An Incarnational approach

A clue to Dayabai's approach to well being of the *Gonds* comes from one of her significant sentences. In her essay entitled "We are only monkeys of the forest", Dayabai narrates her 'first day' in the *Gond* village of Tinsai in Madhya Pradesh. Says Dayabai, "People went inside the houses hiding with a kind of fear. An old man asked me: Why are you coming to us? We are just monkeys of the forest." She goes on, "I was so shocked. There was such a big gap. Now, I knew what I would do to bridge this gap. *Raise their image of themselves and lower mine*, not show my education, standard of food, clothing. I would accept all what was there and bring it up, appreciate it. I would learn from them."[12] Dayabai herself calls this a 'declassing approach.' This approach, the declassing model of an incarnational approach is not only a viable alternative but the truly Christ like alternative, for as Dayabai herself says, "Very often, people ask me what am I doing in the villages.

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10   Mercy Mathew and Annie Drese, *Dayabai: The Lady With Fire*, Franciscan Publications, Bangalore, 2004

11   Ibid. 129.

12   28.

I think it is not so narrow as doing, but it's living, it's being there with everything that happens."[13] Such an approach resonates with the wholistic and communitarian understanding of well-being that we articulated at the outset. With its emphasis on being it stresses the importance of a model that ensures human dignity to all. It will not only *not* alienate or silence minorities in life *but also* in language. If you remember, the caption on the table of the President of India with which I began this essay, was completed by the (and women) of the author. A revealing and radical feminist hermeneutical principle is that language not only reflects reality but also constructs. It follows then that the more we isolate people in and through our language we will also isolate the minorities in all our approaches and policies - economic, social and political. Let me end then by reaffirming that true well being happens when, "the aim of governments at the time of war or peace is not the glory of rulers or races, but the happiness and well being of common men *AND WOMEN.*"

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Minority Rights and Minority Obligations
Some Theological Reflections

Felix Wilfred

The present article begins by uncovering some of the theological models underlying the Christian approach to minority rights. It then highlights the spirit and the elements that should characterize a true Christian understanding of minority rights, and the obligations flowing from them. In the final part, the article goes into the question of "minorities within the minorities" whose dissent should not be suppressed in anti-democratic and unchristian manner, but should be respectful of fundamental rights and the core of the Christian message – love and the poor.

For the Christian community, it has been times of great anxiety and insecurity. The many unfortunate events against its sacred places and religious personnel in the country, particularly in the state of Gujarat, have shocked right-thinking citizens in the country. The reliance on the secure minority rights as the protective-shield of the community was shaken by the intensity and frequency of the onslaught it had to suffer. It is my conviction that we need to seize the present moment for a serious reflection also from a theological point of view on the minority rights. To my knowledge such an endeavour has not taken place. The present contribution has the modest scope of initiating a theological discussion on the minority rights. It will seek to highlight also the obligations that should follow from the claim of minority rights.

Some Underlying Theological Paradigms

It is a fact that behind every praxis there lies a particular ideology. Something similar could be said about the ecclesial praxis. Every form of praxis and decision in the Church has an underlying theology. The claim of minority rights on the part of the Church and the way it goes

about them will reveal, on closer scrutiny, some of the operative theological paradigms in regard to this issue. The point to note is that these theologies may not be explicitly stated; nevertheless they influence quite decisively the thought-pattern and praxis of the community.

The Ark of Noah and the Right of Navigation

According to this theological model, when the Christian community insists on the right to profess and propagate its faith, or claim its rights as a minority community to run educational and charitable institutions, what it really does is to claim the right of navigation. The Church represented symbolically by the ark of Noah has the right to steer the boat in the direction and in the way it wants, free and unhindered by the state, or from other groups. What this model does is to refuse to cast its eyes on the ocean of neighbours all around, and to concentrate on the inmates of the ark – which could easily become a ghetto community. Further, the identity of the Christian community could be expressed in terms of isolation and in opposition to what we ought to be sharing in common with others. Educational and other charitable works are addressed to individuals, and it is important today to reach out to *others as communities* and to engage oneself in the common good. In this model, the loyalty demanded of Christians by the ark and its captains (the Church and its leaders) is not matched by any efforts to help the Christian community to reach out and respond to the crucial issues and questions affecting the vast ocean of the society. It is not enough to argue that by doing educational and charitable services, the Christian community is contributing to the society. What is required is intervening in the society in relation to common good, because the society is a moral entity.

Pilgrims and the Right of Passage

This image can be drawn from the early Christian writings. The letter to the Hebrews tells that "here we have no lasting city, but we seek the city which is to come" (Heb 13:14). In this view, the Christians live a *transient* life in a country, nation, in the city, and are in fact *aliens*, since they are only on a pilgrimage and they are transiting through the world. Though this theological model may not be professed explicitly today, is nevertheless operative in the attitude and praxis of the Christian communities. If we look closer we will notice that they are persistent in numerous ways. For example, the blatant ignorance among pastors, priests and religious about the history, tradition and culture of the country and its people, contrasts with the drilling into their minds during the

formation about the history of their religious congregation or denomination, their traditions, their saints etc. Again, so much knowledge is being imparted on the constitution of one's religious order, and almost total ignorance of the Constitution of the country; so much knowledge about the organization of the religious or ecclesiastical order, but almost nil about the organization of the society in which one lives. Again, how much interest is shown in participating in the democratic practice, voting and election in the country compared to the internal "politics" and zest manifested in the voting and election within the religious communities?

In sum, the image of pilgrim offers a theological perspective, which would incline the Christian community to view minority rights as *rights of passage* for a people who are on the march towards ultimate fulfilment, and could therefore afford to deflect their attention from the *transient* and ambiguous world of politics.

City of God and the Right of Residence

Augustine responded to the charges of his contemporaries against the apolitical character of Christianity and its non-involvement in the public sphere, by saying that faith does not take away the Christian from public engagement. However, he reduced the public good itself to a theological understanding, namely the *City of God*. The fact that the city of God constitutes the perfection of all the human aspirations could act as a deterrent from the imperfect character of the public life in which people seek to jointly realize the common good.[1]

The attitude to the minority could be inspired by such a theological understanding. In this case, the minority situation would be defined in opposition to involvement with others for the public good. There will be indifference if not opposition to struggle with others for the realization of the common good; worse still, if this theological model were to be deployed to impose by force on others one's vision of good life and common good, on the plea that they derive from the city of God. In this case, minority rights would be on the basis of a theological claim of the Christian community to represent the city of God. The shrinking of the theological horizon could lead to a distorted understanding of martyrdom as well. To use the images again. If the right for navigation, or the right of passage or residence is denied, there could crop up easily the thought of "martyrdom". An extreme isolation from the larger community is

1   Cf. David Hollenbach, *The Common Good and Christian Ethics*, Cambridge University Press, Cambridge, 2002, pp. 120 ff.

very combustible, and it could see enemies all around and define one's own plight in the religiously inspired model of victimhood and martyrdom.[2]

Christian Spirit of Minority Rights - The Obligations

The theological models we have briefly discussed could restrict and narrow down the minority rights. We need to look for broader perspectives and horizons, which would help us, understand in the right spirit the minority rights. I intend to give here a few hints in this direction, without elaborating them at length.

Vulnerability

The very etymology of the word "minority" indicates the spirit in which we need to understand it. It derives from the Latin word "*minores*" – the little ones, and it could be used to designate the weaker ones, the vulnerable ones, those who do not have power. Seen from a historical perspective the word "minor" stands in contrast to "*majores*" – the important ones, those who have power, prestige, influence, etc. In the Western society of medieval times, the "majores" signified the lords, those who possessed large lands and wielded great influence. We understand the significance of this contrast if we pay attention to the self-designation of St Francis of Assisi and his friars as "fratres *minores*" – little brothers. This was to contrast the humble position of himself and his fraternity in contrast with the situation of the "big ones", the nobility and those powerful in the society, which included also those who wielded power in the Church. .

The Christian community would do well to return back to the spirit of what is meant by "minores" also from a Biblical point of view. It means those who are the poor, the destitute, the socially marginalized and people without means. This indication of the meaning tells us that the Christian community cannot consider, from a theological perspective, its situation of isolation as a situation of being a minority. They are two different things. The self-isolation and self-protection do not deserve to be called a minority situation. The situation of minority is a larger one, and in fact it refers to *all* those people in the society who have been

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2   Cf. T. Okure - J. Sobrino – Felix Wilfred (eds), Rethinking Martyrdom, *Concilium 2003/1*. See my article in the same issue: "Martyrdom in Religious Traditions". See also Mark Juergensmeyer, *Terror in the Mind of God. The Global Rise of Religious Violence*, University of California Press, Berkeley, 2000.

marginalized because of their ethnic, social, economic and cultural situation. The marginalization in terms of number is but one of the element, and it cannot be equated with the whole gamut of meaning the word minority conveys. If we take the comprehensive sense of minorities, it would include all those people and groups foreseen in the Indian Constitution as deserving special rights to overcome their social and economic backwardness and the discrimination they have suffered. They include the scheduled castes (dalits) and tribes, linguistic and ethnic minorities, and so on.

A Christian community which is conscious of its vocation to the poor and marginalized need to direct its attention to all these groups of minorities, which is very different from the attitude and practice that view the minorities solely as *religious minorities*. The isolationist attitude unfortunately has often led the Christian community to restrict the import of minority rights from the point of view of religion. Ultimately, what should animate any claim for minority rights is vulnerability. The claim of minority rights for oneself on the basis of vulnerability is justifiable from a Christian perspective, as long as the Christian community is committed to engage itself in every case of vulnerable groups in the society. This kind of orientation will help the Christians also to desist from any majority-minority polarization, as if all that minorities and minority rights have to say is exhausted within this polarization.

Community-Building Catholicity

Ultimately, minority rights could have a justification only when it is directed to community-building in the spirit of catholicity. This is just the opposite of the prevailing mood regarding minority rights which is claimed by the Christian Churches in a centripetal spirit. Minority rights should be viewed and practiced in a *centrifugal spirit*. Besides, community-building in a multicultural and multireligious society as India requires the *spirit of renunciation*, or in theological terms *kenosis*. This is so very important for co-existence and true community-building. The self is not only of individuals. There is also something like a *collective self*. Religious belonging is a matter of collective-self. That is true of the Christian community itself. The principle of *kenosis* is no less important in the case of collective selves, than in the case of individual selves. The identity affirmation (as in the claim of minority rights) should go hand in hand with a self-transcendence leading to greater involvement and integration with the larger community and the common good. Let me

explain the matter from the perspective of Christian faith as well as from the perspective of the Constitution of the country.

In its Creed, the Christian community solemnly professes to belong to "holy, *catholic* and apostolic Church". The etymology of the word "catholic" indicates that the Christian community needs to embrace the whole, and not get bogged down to the partial. We know from history that the designation of catholic was deployed to distinguish the authentic Christian community from *sects* which were referred to as heretical, because of their partial character and lacking in catholicity. In spite of the epithet "catholic", the Christian community could in matter of praxis become easily a sect, or a partisan group. The question with minority rights for the Church is, whether it helps it to become more sectarian or to become truly catholic in spirit and practice. I think that the claim of minority rights by Christians without at the same time the practice of catholicity could harm itself first and foremost. The practice of catholicity calls for a spirit of openness towards the whole of society and all its constituents. The situation of minority or the claim of minority rights should not prevent from involvement and participation with all the people with whom we *share* many more things in common than the difference in religious affiliation we *represent*. Only the spirit of catholicity can counterbalance and put in proper perspective the minority rights.

From the perspective of the Constitution, minority rights were meant to confer certain autonomy to the *disprivileged groups*. This autonomy needs to be used to contribute to the well-being of all. In framing the Constitution, the provision of minorities was intended precisely to develop *a sense of belonging* to the whole nation.[3] For, the absence of protection to the vulnerable and numerically small groups could alienate them from the society and its larger concerns. The feeling of security which the minority rights provided, it was hoped, would make their integration and participation easier. I think it is important to recover this spirit of minority rights which we find animating the Constitution.

Vertical Claims and Horizontal Dialogue

To be committed to the spirit of catholicity means to be involved in *dialogue*. So too, to follow the spirit of the Constitution in minority rights means to enter into intense conversation with the larger society. In the Church, dialogue has come to mean mainly inter-religious dialogue.

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3   Cf. Gurpreet Mahajan, "Contextualizing Minority Rights", in D.L.Sheth – Gurpreet Mahajan (eds), Minority Identities and the Nation State, Oxford University Press, New Delhi, 1999, p.62.

I do not mean only this type of dialogue which is very necessary, given the Christian history of negative attitudes towards peoples of other faiths. What is meant here by dialogue in relation to minority rights is more than inter-religious dialogue. We need to remember that people have *multiple identities*, and the religious identity is but one. Relationships are to be forged at various other levels and layers of identity.

The fact of multiple identities has two important implications: First of all, the Christian Churches may not relate to neighbours simply on the basis of their religious identity, but reach out to them at the level of their other identities. There are so many common grounds on which Christians meet with other citizens, and at this level it is not the religious identity which stands in the foreground, but the common issues of the society which is the concern of one and all. Secondly, as it is, the minority rights are claimed *vis a vis* the state. I would call this the *vertical approach* to minority rights. The state becomes the interlocutor in the claims of minority rights. This kind of approach circumvents the larger community, which can then allege the state is "pampering" the minorities, while the minorities could say that they are claiming only their rights in the secular spirit. The vertical approach to minority rights needs to be balanced by a *horizontal approach*. The web of relationship the Christian community fosters with the larger society at the horizontal level is indispensable for a healthy practice of minority rights. In other words, the minority rights as claims on the state, should not pose a threat to other communities. This could come about by fostering intense conversation and dialogue at the level of the civil society. That leads me to the next point of our consideration.

Minority Rights and the Public Sphere

The claims of minority rights on the part of the Christian community or any other minority community will have credibility to the extent there is involvement in the common good of the society. But there is also a general fear and suspicion of the divisiveness and social conflict religious groups could bring into the public.[4] This is true not only of a developing

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4   From a global perspective, besides the well-known work of Samuel Huntington on the clash of Civilization, the following works could be usefully consulted: Mark Juergensmeyer, *Terror in the Mind of God, Op.cit.*; Gilles Kepel, *The Revenge of God: The Resurgence of Islam, Christianity and Judaism in the Modern World,* Pennsylvania State University Press, University Park, 1994. For the liberative role religion could play in the age of globalisation, see Peter Beyer, *Religion and Globalization*, Sage Publications, New Delhi, 2000 (reprint).

country like India, but as well of an advanced country like the United States. We need to think of the role being played today by the New Christian Right or the Moral Majority in that country.[5] But, fortunately, we have numerous examples of the contribution religious communities could make to create a more peaceful and just world.

In what ways could the Christian community in India, as the beneficiary of minority rights, contribute to the larger society? The immediate answer that may crop up in the mind of many Christians is that the Christian community is already contributing through its educational, health and social services. But, the question implies much more than these traditional forms of activity, about which the Christian community is often complacent. Certainly, these are laudable works, but the point is that they could be conducted in isolation, or in parallel with the state and other agencies. They serve more often than not to reinforce the public Christian identity, than become expressions of a common endeavour on the basis of shared goals and ideals.

What are envisaged are new forms of participation in public life which is a different thing. It will go to contribute to a community-building of the country with all its diversity. In Christian understanding, *self-insulation is hell*, whereas communion is the ultimate good, the heaven. By this yardstick the true vocation of Christian community is not to reinforce its identity in difference, or in opposition to other, but to define itself in terms of communion with others. This is more important than an isolation in the name of forming a faith-community, or running of educational and charitable institution as a minority religious community. Our obligations to love and communion ought to be greater than our fidelity to faith, if it is true, as St Paul says, when all things have passed away, what will remain is love.(I Cor. 13:8 – 13). A narrow numerical understanding of minority can lead the Church to forget this core of Christianity and the core of India as well. For, from the point of view of Indian history, majority-minority is of recent making that which came about through such practices as census. Further, the so-called majority community itself is not homogenous, being made up of numerous groups and *sampradayas*.[6]

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5   Cf. Peter Beyer, *Op.cit.* pp. 114 ff.

6   In the traditional mode of governance in India, the rulers did not see people in terms of minority and majority, and this is true not only of Hindu kings, but also a ruler like Akbar. The ruler as the hub of the wheel was expected to hold together all the communities; otherwise the *mahachakra* will break. In

By way of example, let me point out some areas of engagement in the public sphere. First and foremost we must highlight the importance of the *struggle for democracy*, which is something more than *democratisation*. The practice of justice, tolerance and social harmony will very much depend upon the effective practice of *substantive democracy*, which is again different from formal or procedural democracy. The struggle for democracy which is an important implication of Christian faith today, needs to be taken up at all levels from bottom up. Democracy is the foundation for lasting development of a country and a people, and the precondition for justice.[7] In what ways could the Christian minority community contribute to the struggle of the country for substantive democracy? This needs to be answered with reference to the particular situation prevailing in a locality, district, state, etc.

Effective realization of democracy requires a vibrant *civil society*.[8] It is something that has become object of serious study and discussion in the contemporary world. It is the arena where people meet and interact, exchange their views, and conduct reasoned debates and become aware of mutual obligations. It is also the space of public expression and contestation.

> [C]ivil society has to function as a sphere of pedagogy and communication. The values of freedom, equality and justice have to be extended through communicative action, debate and publicity. Civil society has to a ct as an intermediary filter between the particularistic loyalties of society, the individual and the state. …It can become strong when its members exhibit a commitment to freedom and equality, to democracy, participation and to mutual recognition of rights.[9]

this perspective it makes no sense to speak in terms of minority and majority in conflict with each other. I am grateful to Professor Robert E. Frykenberg for this insight in a personal conversation. See also his article, "The Concept of "Majority" as a Devilish Force in the Politics of Modern India", in *Journal of Commonwealth and Comparative Politics XXXV/3 (November 1987), pp. 267 – 274.*

7   See the article of Pushpa Joseph in this number of *Jeevadhara* with reference to Amartya Sen.

8   Cf. Jean L. Cohen – Andrew Arato, *Civil Society and Political Theory,* MIT Press, Cambridge, Massachusetts, 1999 (fifth printing); Sudipta Kaviraj – Sunil Khilnani (eds), *Civil Society. History and Possibilities,* New Delhi, 2002.

9   Neera Chandhoke, *State and Civil Society. Explorations in Political Theory*, Sage Publications, New Delhi, 247.

Civil society covers a wide range of institutions and practices. Dialogue to which mainline Christianity has given so much attention in these past decades, needs to assume concrete form in the active participation in civil society. The participation of minorities in the public spheres is particularly important to ward off the danger of *majoritarianism* and the development of anti-democratic and totalitarian tendencies. By increasing the interaction among the individuals and various groups in a country, and by creating a mood of mutual accommodation and tolerance, civil society keeps the state from going into any excesses. A vibrant civil society will also check that no group in the country imposes on others its world-view, values, symbols and the vision of good life. In the concrete, in India the absence of minorities in the public sphere could easily lead to the erosion of the civil society and its hegemonizing by religious nationalist forces. There is no point on the part of minorities lamenting about this, as long as they have not actively involved in the public sphere and civil society. The danger of any minority community is precisely that it could become indifferent to civil society and the struggle for democracy, which are essential to safeguard the very minority rights it claims.

Minorities among Minroties

The claim of minority rights by religious communities is subject to certain conditions, and they have been pointed out in the Constitution. The rights should not go against "public order, morality and health"[10]. But there is one aspect which calls our special attention, and it is the plight of the minorities within the minorities, or the so-called "internal minorities". Experience shows that the minority rights could be used by a religious community to ostracize and oppress some members within the minority community. In fact, this is one of the reasons being adduced today by those who challenge the legitimacy of minority rights.

Minority rights cannot be claimed against fundamental rights. The support given to minorities by the state would then mean also connivance with the marginalization of dissenting minorities within the minority group. The acts which will invite the condemnation of the majority or the state, if they were to practice against minorities, are often practiced with impunity against the internal minorities. If minority rights are intended for the self-protection of the group from internal dissention, then it would lose its legitimacy. For on no count can restrictions that violate

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10   *Indian Constitution*, art. 25.

basic human, civil and political rights could be imposed on the internally dissenting minority of minorities. This offers the key for the defence of any person within the minorities who is oppressed or ostracized by the religious institution claiming and acting on the basis of minority rights. Focusing attention on the preservation of culture, identities or ensuring certain autonomy through minority rights, could develop into insensitivity to democracy and its exigencies. Minority rights could be taken advantage of for protecting undemocratic ways within the minority community itself.

> Neither the absolute weakness of a minority group, nor its relative weakness *vis-à-vis* the majority, proves that it is also weak *vis-à-vis* its own internal minorities....[I]nternal minorities are entitled to rights in just the way that the minority groups themselves are, and for the same reasons.[11]

The claim of minority rights should go hand in hand with the practice of democracy within the minority communities. For, the very minority rights are based and justified on the basis of democracy and justice.[12] Religious communities are particularly prone to anti-democratic practices, because they tend to justify these practices by invoking the authority of God or the sacred books. Democracy is such an important and universally recognized value that every religious community needs to do soul-searching on how this value is practiced within its community. A particular member or members of a minority religious community could be accused of heresy and unorthodoxy. That religious community will be going against the fundamental rights if it does not respect the dignity and freedom conferred on the citizens. Neither, the religious belonging nor loyalty to the community can warrant that a particular member foregoes her basic and fundamental rights because she is dissenting within the religious community. All these issues come to focus when we examine the many cases in which the claim of minority rights has been interpreted in practice as the right to proceed with undemocratic ways or to mete out injustice to the weaker or dissenting members in the minority group itself. This applies as much to the Christian community as to Muslim and other minority religious communities.

11   Leslie Green, "Internal Minorities and their Rights:, in Will Kymlicka, *The Rights of Minority Cultures*, Oxford University Press, Oxford, 200 (reprint), p. 268.

12   See my other article in this number of *Jeevadhara*: Minorities in the Age of Globalization

Particularly sensitive is the case of women's place in the minority religious communities. No minority religious community, including Christianity, can forbid women having their equal rights with men, and no religious group could take cover under minority rights to proceed against women and deny justice and equality to them within the religious organization. Failing to do this would be a dangerous integralist approach that tries to reduce within the theological justification and categories the public realm.

From a theological perspective, as I noted , minority is a reality of vulnerability and powerlessness. This should be applicable also to those who are weak and defenceless in the minority communities themselves. Any anti-democratic and unjust practice against them would go against the Christian faith. Pluralism cannot be invoked only to justify the minority rights on the part of the Christian community. This pluralism should be evident also in the way of the functioning of the Church and the way it goes about with difference in the every-day life and practice, and in the educational, medical and charitable institutions it runs. The way of dialogue and not enforcement of conformity within the Church will make its political claims for minority rights credible. In sum, persecution of the dissenters can be justified neither by Christian faith nor by the contemporary democratic sensitivity. The critical and prophetically dissenting voices within the Church will create a healthy tension which will keep the Church alert and sensitive to the democratic exigencies of our times and to the practice of justice in its own internal life.

Conclusion

Minority rights give the freedom and autonomy for the Church. But if the Church requires freedom, it needs to free itself. "*Freeing oneself from oneself*" is the way to be able to relate oneself with others, as experience would amply testify. The autonomy and freedom the minority rights give, bring in also important obligations towards the society and the common good. Part of this contribution is also prophetic critique. But in modern times the prophecy cannot be simply a one-way speaking in the name and power of God as Jeremiah or John the Baptist did. Prophecy today needs to be dialogical. It requires public engagement to be able to have credibility. To claim to do prophetic work without dialogue and conversation with others contain the danger of importing into the society one's own view of good life and values, and causing social dissension and conflict. Minority rights need to be turned not into a means of isolation and withdrawal into the ark of Noah, but an entry

point for public engagement for the cause of democracy and justice. It involves active participation in the civil society. Minority rights should become a means for community-building and for a centrifugal movement towards others, which have important implications for Christian faith.

The theological perspective that should animate the claims of minority rights is that of vulnerability and powerlessness. The temptation to fall into the narrow trap of minority-majority polarization needs to be averted by the Christian community by its quality of engagement in all those things which we share with the rest of the citizens. The spirit of democracy and justice which legitimise the provision of minority rights should be seen also in the way the Church treats difference and pluralism within its life and organization.

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Wrestling Against Shadows

Minorities – Globalisation – Violence

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This article attempts to look into the violence meted out to and originating from the minorities, its link with the process of economic globalisation and finally draws out a few conclusions for pastoral praxis

Minority communities and violence

Minority -religious, linguistic, cultural and ethnic- communities have become target as well as source of violence. Any analysis of violence in connection with the minorities in India draws one's attention to the recent attack on Christians, Hindu-Muslim feud in many cities especially in the north and the upheaval of the tribal communities.[1] The reports in the media are only a part of the horror that is going on for the past few decades in many regions of the countries. A cessation of the carnage is unfortunately not yet in sight. There are so many reasons underlying the problem of violence on and from the minority communities and analysing all of them will be beyond the purview of this article, however, let us look into a few sociological and economic theories, which could throw light to understand the link between the problem of violence and globalisation.

Clash of Identities

Group or social identity plays a major role in social interaction. One of the causes for aggressive behaviour lies in the interface of individual and group/social identity. A group can motivate or support the individual

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1   Laithangbam, I., *'Keishing and Army at Variance'* in Eastern Panorama, Cot. (1995) p.12, The Imphal Free Press, March 20, 1999, p.1

for aggressive behaviour. It was G. LeBon,[2] a French social psychologist, who claimed already in 1895 that mob psychology has a strong influence on the aggressive behaviour of the individuals. He said that the anonymity, suggestive actions and psychic pressure of a group could be valid reasons to lose rationality and cultivate a 'mob mentality', to neglect normal social controls and to indulge in abnormal and anti-social behaviour. Later research done by P.G. Zimbardo developed further the theory of LeBon and claimed that group offers a kind of mask to individuals und leads them to anonymity; it is a process of alienation or *de-individuation*[3] by which a person disowns responsibility for his/her malevolent actions. Such group identification offers a kind of anonymity to the individual members and leads them to violence against others mostly outside the group who are targeted as responsible for their own pitiable conditions, for instance, unemployment or poverty or moral decadence etc, However, it should not be concluded that group behaviour leads automatically to aggression, the deciding factor in determining the nature of the group interaction is the social situation and its interpretation. For example the unemployment situation could be perceived as a result of the influx of immigrants, hence they could be made target of aggression by the local people. H. Tajfel says, "The display or absence of overt aggressive behaviour by people who find themselves in a similar social situation is powerfully regulated by their socially shared perception of the legitimacy of aggression in that situation".[4]

Analysing the religious and communal riots in India Sudir Kakar draws similar conclusions. He is of the opinion that the root cause of communal conflicts lies in the threat faced by individuals to their personal as well as group identity.[5] At the early stage of development the child becomes matured through a two-way process of growth, namely, through *"I am" – experiences*, which foster one's individuality and through their complementary, namely, *"We are" – experiences*, responsible

2   Cf. LeBon, G., Psychologie des foules, Alcan, Paris, 1895, in German: Psychologie der Massen, Kröner, Stuttgart, 1961

3   Cf. Zimbardo, P.G., The human choice: Individuation, reason and order versus de-individuation, impulse and chaos, in: W.J. Arnold / D.Levine, Eds., Nebraska Symposium on Motivation, Vol. 17, University of Nebraska Press, Lincoln, 1970, pp. 237.307

4   Tajfel, H., Differentiation between Social Groups, Academic Press, London, 1978, p.416, here quoted from Stroebe, W., Socialpsychologie, p.300

5   Cf. Kakar, S., The Colour of Violence, Chicago, 1994.

for the sense of community or group identity, which is formed by the processes of introjections, identification, idealisation and projection. "*I am* - differentiates me from other individuals. *We are* – makes one aware of the other dominant group (or groups) sharing the physical and cognitive space of one's own community. The self-assertion of "*We are*", with its potential for confrontation with the "*We are*" of other groups, is inherently a carrier of aggression, together with the consequent fears of persecution, and is thus always attended by a sense of risk and potential violence".[6]

A child imitates and imbibes within itself the harmonious elements in the group but disowns the bad representations through projection and throws the blame on other persons or things, which according to Vamik Volkan serve as "reservoirs"[7] for hate and conflict for which no clear-cut addressee is available.[8] Thus individuals as well as groups discover their own targets to drain out their pent up hatred and aggression. For instance the scapegoats for Hindu fundamentalists in India are other religious minorities as Jews were for the Germans before the World War. The process of building group identity is reinforced by cultural traditions of the respective group and their ability to establish the 'unique greatness and its *unconquerable-ness* of its identity and variables with other groups, which make co-existence impossible; hence, calls for subjection or if necessary, extermination of others. According to Kakar, religion is very handy especially in communities where it still plays a vital role in 'meaning-making function' to boost up the group identity and to lead different groups to brutal confrontation. It is a religious feeling which gives an individual awareness of his/her identity with the group, in other words, religion "is a projection of the feeling – a feeling of common identity or 'a feeling of circumambient power'[9] that the group arouses in its individual members, a feeling that is shared by all and communicated by symbols".[10] In short according to S. Kakar the division of human society into various groups, castes, religions are utilised for two reasons. First of all they are helpful to boost up or even to flabbergast group narcissism and a shared grandiose self, secondly, to contrast with the other groups and identify them as containers for one's

6   Ibid., p. 189
7   Here quoted from S. Kakar, ibid., p. 189
8   Cf. Kakar, S., p. 189
9   O'Keefe, D., Stolen Lightening New York, 1982, p. 166
10   Hamerton-Kelly, R.G., Sacred Violence, Minneapolis, 1994, p. 16

own disavowed perils and pitfalls. The self-glorification tendencies lead
to various social malfunctions ranging from ethnocentrism to xenophobia
ending up in racial or ethnic conflicts for which the recent events in the
country offer a number of examples.

Clash of Civilisations[11]

Aggression, seen as a result of social interaction,[12] has its origins
and repercussions at the global level especially the problem of identity
crisis is faced not only at the micro and meso but also at the macro
sphere. Samuel P. Huntington analysing the present day situation claims
that turmoil in any society nowadays is due to the 'clash of cultures'.
And according to his contention people need 'enemies' in order to establish
their own identity and consolidate their motivation for self-emancipation.
There is a strong tendency that cultures of same origin and similarities
tend to join hands with each other and challenge other cultures, which
are different from their own. Huntington divides the world community
into eight cultural zones which pledge to protect their particular cultural
and economic interests from domination and extermination by other
cultures. The three major cultural entities,[13] such as, Christian culture
in the West, Islamic culture in the Near East and Confucius-Asian culture
will be the determining factors in defining the social and economic and
political situation of the world in the future. The following other five
cultural concoctions will swing sides in tune with developments in the
above major cultures, yet they play a vital role in determining the nature
of social and political fabric in their respective vicissitudes. They are:

   a)   Japanese culture,

   b)   Hindu culture from India,

   c)   Orthodox culture from Russia,

   d)   Latin American culture, and

   e)   African culture

Cultural identities will be influencing the world trade and political
alignment so emphatically that defining the identity of the partner will be

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11   Huntington P. S., The Clash of Civilisation? In: Foreign Affairs, 72:3(1993),
      pp.22-49

12   Cf. Felson, R.B./Tedeschi, T.J., Aggression and Violence, APA, Washington,
      1994

13   Rittberger, Volker/Hasenclever, Andreas, Religionen in Konflikten, in: Küng,
      H./Kuschel, K-J., München, 1998, pp. 161-200, here p. 165.

a must before entering into any worthwhile transaction between nations. After the disappearance of the West-East-Conflict now there is a tendency for the cultural reorganization and constellation of world community in which cultures, above all, religions have a major say than ideologies or economic interests. The key positions in the international scenario will be held more by the cultural nuclear states than by the super powers of the yester years.

Huntington's hypothesis is challenged by many as unrealistic and overestimation of the role of culture above all of religions in the modern society.[14] It was already postulated by Max Weber and Ernst Troeltsch that social conflict has to be figured out in various dimensions of the stratification in the society, such as wealth, power, religion, family, etc.[15] The role of religions in such a stratified society consists in providing mechanisms to accommodate violence and to justify power and domination. Religions in fact fail to cultivate political responsibility, rather develop a sense of blind obedience before the state power. Therefore religion, for M. Weber, 'is a spent force';[16] hence, to accredit religion of being a mobilizing force of national powers to loggerhead against each other would be an exaggeration. It many instances it was economic interest that paid a vital role in all the major conflicts between the nations and between various communities rather than cultural and religious beliefs. In fact it is the other way about that conflicting parties have manipulated religious elements for economic and political gains. There are no religious conflicts now a days in the strict sense of the word, rather religious sentiments are consciously manipulated for the political goals.[17]

Recent conflict situations in the country and in the world betray how heterogeneous alliances were made transcending cultural and religious identities. Communities and countries with different cultural and religious moorings have made alliance for sheer economic and political reasons. It is not so much a clash of cultures rather 'narcissism

14   Cf. Kirkpatrick, Jeane J., The Modernising Imperative. Traditions and Change, in: Foreign Affairs, 74:2, 1993, pp.22-24; Hummel, Hartwig/Wehrhöffer, Brigit, Geopolitische Identitäten, in: Weltrend 12: Globaler Kulturkampf? 1996, pp. 7-34; Meyer, Thomas, Identitätswahn. Die Politisierung des kulturellen Unterschieds, Berlin, 1997.

15   Cf. Jayaram, N./Sabrewal, S., Social Conflict, p. 8

16   Cf. Segal, R.A., Max Weber on Religion and Political Responsibility, in: Religion, 29 (1999), pp.29-60

17   Rittberger, V./Hasenclever A., ibid., p. 168

of small (little) differences'[18], which serves as catalyst in social conflicts. That means cultural differences, very many times insignificant and irrelevant, are flabbergasted for the sake of some other vested interests. Hence, the roots of social conflict lay not in religious and cultural differences but in some other spheres of human society. Religion of the minorities is blamed for the insurgency and protest movements in the country. But the underpinning cause for communal conflicts lies neither in religion alone nor are they results of clash of civilizations, they are rather consequences of a growing political and social non-solidarity among the political groups attempting to capture or to hold on to the echelon of power.

Violence – Handmaid of History

Marxism is apparently a failure but Marxian categories have still helpful to understand the social conflict. According to Marxist dialectical materialism power is the prerogative of the ruling class; and conflict and violence is the result of the struggle between the two in order to own the means of productions. "The history of all hitherto existing society is the history of class struggle... Our epoch, the epoch of bourgeoisie, possesses, however, this distinctive feature: it has simplified the class antagonisms. Society as a whole is more and more splitting up into two great battle camps, into two great classes directly facing each other: Bourgeoisie and Proletariat".[19] Marx claims that there are two forms of violence; one is *reactionary violence* of the bourgeoisie to protect their ownership of means of production at the cost of the poor and the other one is *revolutionary violence* of the proletariat, the consequence of the exploitation by the latter, which is unavoidable in the process of acquiring power for and by the poor. It has been the privilege of the capitalistic society to use violence as means to protect its accumulated property and the state power is used to safeguard the organised exploitation violence of the ruling class.[20] Consequently, there is no choice left except an armed revolution to realise the emancipation and establishment of the rule of the labour class. Hence, Marx says, "Violence is the midwife of any traditional society which is loaded with

18   Ibid., p. 169
19   Marx, K/Engels, Manifesto of the Communist Party, Foreign Language Press, Peking, 1977, pp. 32-33.
20   Cf. *Marx Engels Werke, Berlin, Bd.23, S. 779*, here quoted from Sommerfled, W., *Gewalt in Geschichte und Gesellschaft*, in: Gruppe Münster: Gewaltverhältnisse, Münster 1983, pp. 6-15

the new prospect. It is in itself an economical potency (and power)".[21] As E. D. Miller describes, according to Marxian concept "violence does not cause revolutionary change, but it may be on the birth pangs of social transformation".[22] Max Horkheimer, one of the stalwarts of neo-Marxism says that 'Marxism teaches that there arises a sense of togetherness among the proletariats due to their misery, which Marx describes not as love but as solidarity. And he opines that an authentic society emerges out of such solidarity'.[23]

Violence for Justice

There is an inseparable link between justice and aggression and one of the causes for aggression generating can be frustration due to deprival of justice. A research conducted by S.A. Stouffer and his team in 1949 stated that the phenomenon of 'relative deprivation' could let loose aggressive behaviour among the affected persons.[24] Their study conducted on the behaviour of American soldiers during the war showed that those soldiers who were denied due promotion were prone to anger and revolt than others. Many other researches proved that justice denied or deprived serves a vital force in aggressive behaviour.[25] The frustration of individuals could be manipulated and channelled into political protest defending on the intensity of the frustration and other factors, such as, a coordinating person, and his capacity to mobilize the disgruntled individuals and assurance of success, etc. Political ideologies and parties to mobilise the mob for collective violence very often exploit the sense justice and fairness.

Structural Violence

Roots of social conflicts are found rather in the entire structure of the society than in the individuals as muted by the ethnologists or as the psychoanalyst advocate that aggressive behaviour originates from the

21   Cf. K. Marx in Das Kapital, Kapitel 24, Marx Engels Werke, Berlin, Bd.23, S. 779, here from Ibid., p. 9.
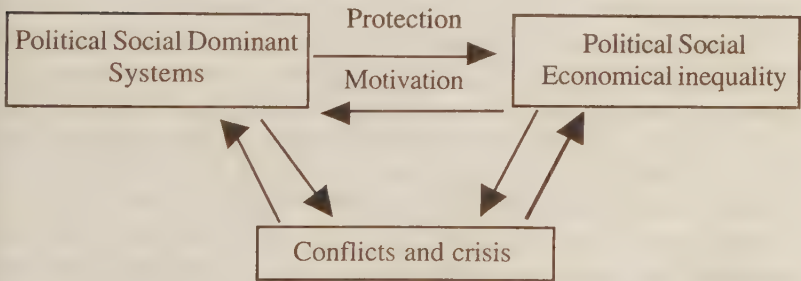
22   Miller, E.D., in: DPCC, p.1305

23   Horkheimer, M., Die Funktion der Theologie in der Gesellschaft, but here quoted from Fast, H., et al, Glauben und Gewalt, Claudius Verlag, München, 1971, pp.118-119

24   Cf. Stouffer, S.A., et al, The American Soldier:adjustment during army life, Vol. I, Princeton, NJ, 1949

25   Cf. Bierhoff, H.W., Ärger, Aggression und Gerechtigkeit, in: Bierhoff, H.W./ Wagner U., Aggression und Gewalt, Stuttgart, 1998, pp. 26-47

sub-consciousness of a person. Johan Galtung analysing the phenomenon of violence differentiates between 'direct and indirect violence'; direct violence occurs in a society if the resources and power are shared by the members of a society in disproportionate and unjust measures, which is nothing but indirect violence. Hence, unjust structures are the root causes of direct confrontation. Violence occurs as people are so affected that their actual physiological and psychic (spiritual) actualisation is less than the potential one.[26] The abysmal gap between the reality and the expectation is the nursery of the societal violence. According to Galtung state power is very often part of the structural violence, which without any scrupulosity defends injustice as something 'normal and natural, or as in a few cultures divine as well. There is no assurance that well-developed democratic system is a bulwark against such structural violence in the society.

Structural Violence

| Political Social Dominant Systems | Protection / Motivation | Political Social Economical inequality |

Conflicts and crisis

Avoiding
subversion or revolt

Justifying the situation and
demanding obedience

Structural violence makes the marginalized not only economically poor but also culturally and socially alienated as well, and drives them in a pathological state of dependency. Authoritarian regimes take sides with exploitive forces and perpetuate injustice but curtail with an iron fist the subversion of the exploited mass, which in turn indulge in increased violence. The root of 'overt' violence lies in the 'covert' violence, which is also called 'institutional violence' or 'violence of

26   Cf. Galtung, J., Strukturelle Gewalt. Beiträge zur *Friedens- und Konfliktforschung*, Reinbek,1975, p.9.

status quo'. Archbishop Helder Camara described such a process of violence as 'a spiral of violence'. The phenomenon of violence is caught up in a vicious circle of exploitation-subversion-oppression. The exploitation of the poor in the society is violence number one. Political action of the poor, which does not rule out militancy, against such exploitation is violence at the second level, and consequently the repressive measures by the state by sabotage and punitive measures to curb the subversion of the people is violence number three.[27] Thus violence is perpetuated.

Colonial Heritage and Globalisation

Most of the present day problems in the former colonies have their roots in the colonial past. Added to it another major cause for social conflict is the phenomenon of economic liberalisation, a uni-polar economic system, facilitating free movement of capital and trade, but guaranteeing maximum profit only to the rich and leaving the poor at the receiving end.[28] It is a kind of neo-colonialism that perpetuates the dependency of poor nations, which is reflected at the domestic level in the poor countries.

Imperialism was the forerunner to the process of economic globalisation, which determines and directs the political happenings in the world since the 1960s. John Galtung claims that imperialism is the source of structural violence at the international and national level as well. According to him societies and nations can be divided into two groups namely, centre and periphery and in each of them there is a centre and periphery, which have different interests and goals, and very often contrary to that of the other. The nature of relationship between the two is either a harmony of interests or disharmony or conflict of interests, namely, both agree upon common goals and interests or one opposes the interests of the other, if they are not advantageous. 'Imperialism is a system of domination among organised groups above all nations, in which the power centres in the dominant groups or nations correlate with the power centres of the periphery groups/nations and thus ensure welfare of those who dominate power centres'.[29] It is kind of non-egalitarian relationship between a nation at the centre and a nation at the periphery, which has the following three characteristics:[30]

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27   Cf. Camara, H., Spiral of Violence, New York, 1972
28   Cf. Documents from the Seminar on Globalisation, in: VJTR 62(1998) pp.200-205
29   Cf. Galtung, J., ibid. p. 29   30   Ibid., pp.35-36

a. Harmony of interests between the centre in the centre-nation and centre in the periphery-nation,

b. There is greater disharmony within the periphery-nation than within the centre-nation,

c. There is disharmony of interests between periphery of centre-nation and periphery of periphery-nation.

In short, there are common interests and mode of co-operation between the dominant powers, and they spare no efforts to prevent the co-operation among the dominated groups/nations in order to avoid any threat to their dominant structures. Galtung presents with a graphic how the imperialistic forces both in national and international level cooperate with each other to perpetuate the injustice in the society and that too in the name of freedom, liberty etc.

Structure of Dependency[31]

——— Harmony of interests

- - - - Disharmony of interests
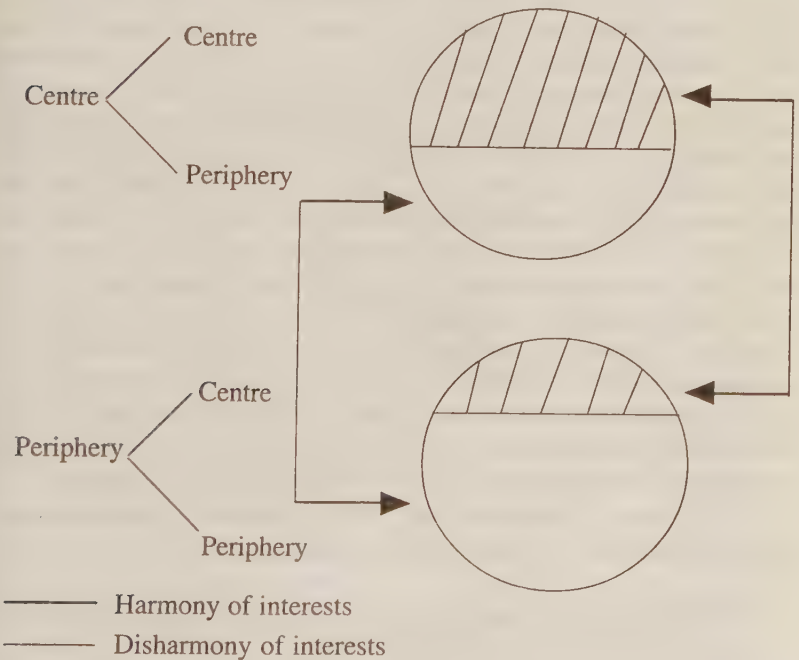
31   Galtung, J., Eine strukturelle Theorie des Imperialismus, in: D.Senghaas, Eds., Imperialismus und strukturelle Gewalt. Frankfurt/M, 1973, pp.29-205

Centre indicates those who have the power and authority in the society and who have access to the major portion of resources and means of production; periphery designates the majority who have very little of the pie in all the sense. But the centres in both the circles go hand in hand especially when they are confronted by those in the peripheries, who are normally kept divided to avoid mutual support and possible subversion against the centres. Imperialistic mode of domination has metamorphosed into globalisation of world market economy but not to the benefit of all. 'Globalisation has created *Third Worlds* in the middle of *the First Worlds* and *the First* in the middle of *the Thirds*.[32]

The process of exploitation is very much evident at the international level, where multinationals constantly work at preserving their monopoly of power system for the liberalisation of trade and globalisation of capital. The growing power of the multinationals and accumulation of resources in the hands of a few groups or sometime persons, small and native production units overtaken or swallowed up by the big fishes, helplessness of the democratic governments left at the mercy of the world finance institutions – all these and many other related factors to neo-liberalism causing a sense of anxiety and fear which result in explosion of conflicts in micro-, meso-, and macro levels. Though the modern high-tech communications and speed-jet travel propagate the myth that the world has become a *global village* it is indeed a paradox but true that the gap between the poor and the rich widens faster than ever before. Such a neo-liberalism of market economy is threshed on the world community thorough aggressive mass media, world trade and economic institutions and at times with military power as well.[33] Thus the G 7 countries contribute in cooperation with their multinationals very actively for widening the gap between the poor and rich, as E. Altvater points out, they create the conditions for chaos in the rest of the world by increasing the debts, causing unemployment by destroying conventional industries and by production and trade of armaments. [34]

Globalisation is destructive not only at the macro level but also at local and micro level. It has direct influence on the families in many

32   Für eine Zukunft in Solidarität und Gerechtigkeit, Gemeinsames Wort der EKD und DBK, 1997, nos. 86-87, cf. Commentary given below.

33   Cf. Durchrow, U., Alternativen zur kapitalistischen Weltwirtschaft, Mathias-Grünewald, Mainz, 1994, pp.66ff.

34   Cf. Altvater, E., Zukunft des Marktes, p. 214, here quoted from Durchrow, U., ibid., p.104

ways, especially by its attack on employment and work ethics. It shatters indirectly the integrity of the family by its exaggerated appraisal of individualism and freedom. It is fatal to the poor and aged, handicapped etc., who have no place in a world where everything is measured in terms of profit and consume and where the whole transaction is nothing but a cruel cut-throat competition and a rat race for success. The parody of all tall claims of modern development is the burden hurdled on the 'absolute poor'[35] who are not only sidelined by the entire process but also considered 'unnecessary consignment' in the society. Felix Wilfred describes the grotesque effects of globalisation is the growing *amnesia of the poor and eclipse of social consciousness.*[36] Hence, the natural consequence of such alienation in many parts of the world is violent insurgence of affected people.

Breeding Fundamentalism

Economic globalisation is indeed a contradiction because it claims to build up a world community but what happens in reality is an annihilating assault on small cultural traditions by 'undermining their identity'[37] who have no access and who shy of multi-million global transactions.[38] The link between the process of economic globalisation and the outbreak of communal riots and conflicts in various corners of the world cannot to be overlooked or undermined. Threatened by the Leviathan of globalisation people are awakened to defend their cultural identities and national interests. Miroslav Volf analysing the Bosnian crisis says:

> Around the globe today we are experiencing a resurgence of what has been called "new tribalism", reaffirmation of group identities. On the one hand, this is a salutary process. There is a growing realisation that the Enlightenment ideal of abstract humanity is truncated; we encounter people not simply as 'humans' stripped of their culture or gender, but as Hutus or Tutus, as Buddhists or Hindus, as red or yellow, as men or women.

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35 who fall under the demarcation of poverty line, namely, who have access to less than 300 USD per month

36 Wilfred, F., Church's Commitment to the Poor in the Age of Globalisation, in VJTR, February, 1998, pp.79-95, here p. 80.

37 Cf. ETAWOT, Final Statement of the 4th Assembly, in: VJTR 61(1997), pp.546-559

38 For further reading on the consequences of globalisation, refer: Für eine Zukunft in Solidarität und Gerechtigkeit, 1997, Ns. 65-67, 84-89; Die vielen Gesichter der Globalisierung, WA der DBK, 1999, Gerechter Friede, Nos. 88-95

> Group identities offer us homes to belong in, spaces where we can be among our own and therefore ourselves. They also provide us with basis of power from which we can pursue our goals or engage in the struggle against oppression.

Insurgence of various ethnic, religious and cultural groups is the result of this inhuman development of economic which breed religious fundamentalism and cultural hegemony of the majority. Influx of Hindutva as means of national integration has given birth to a number of fundamental groups and the zealous missionary enterprises of the religious fundamentalists to 'hinduise' or 'sanskritise' the marginalised people adds fuel to the fire. Religious fundamentalism aggravates the enmity among various religious communities and widens the rift between them.

Development at People's cost:

The poor are the ones who are most affected by the process of liberalisation of markets and mega development projects in the country. A study conducted to know the outcome of the 54 large dams in the country has brought to light the fact that an average of 44,182 people per dam were displaced due to the construction of these projects. An official record says that a total of fifty million people became homeless - it is three times more than the population of Australia, than nearly eight times more than the Jews died during the Second World War and it is nearly twelve times more than Albanians driven out by the Serbian troops from Kosovo.[39] Absence of a National Rehabilitation Policy and the justice system that are not within the reach of the poor, drives off the poor to big cities as menial labourers or criminals living on the pavements and in slums under inhuman living conditions. They are refugees in their own land and stories, such as mothers selling their babies to save the rest of the family from dying of hunger are not a rare appearance in the media.[40]

Pastoral Response

Pastoral response in support of those who are struggling to withstand the onslaught of globalisation must undertake measures to assist the

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39   Cf. Roy, A., The Greater Common Good; Frontline, (online ed.)Volume 16 - Issue 11, May. 22 - June 04, 1999, pp. 1-31.

40   Cf. Roy A. Ibid.

poor in their search for dignity and self-respect. As V.R.K. Iyer pleads that 'a new wave of confidence and self-respect, not upstart militancy should be created among the poor especially the SC & ST youths motivated by the slogan: *We can do it better, given a better deal*'.[41] And I firmly believe that such a project emerges from the foundation of the Christian concept of man as *imago Dei*. An unquestionable 'reverence for human being' (GS 27) irrespective of his cultural and economical bearings has still to take root in Indian social thinking. Christian anthropology should come into rescue to establish the concept of human being created in the image of God, and that too as male and female. Moreover, cultural heritage prevalent and upheld in the society is a system of domination of 'the winners' imposed on 'the losers'. What is being written and again now rewritten as history is the story of 'the conquerors' not that of 'the conquered'. But pastoral concern for the victims demands steps to hinder the uncanny process of alienation of the marginalized peoples who were taken for a ride for centuries and to offer them scope for the emergence of their identity as individuals.

Christian educational ministry must pay attention in this regard to build up a healthy self-image in the poor people, who are otherwise pulled down by inherent inferiority complex implanted in them through social and religious customs and tradition. I think that would be a great contribution by Christian revelation for Hinduism, if Christian education really invests its resources to inculcate in the national psyche an authentic identity of a human being. As Norbert Mette says, 'in Christian understanding it is constitutive that the other person is accepted and affirmed as absolutely desirable and endlessly important. A healthy identity is built up if the individual is affirmed by the self and by the other as a person. And it will be missing if the others disfigure his identity with their influence'.[42] This is a special pastoral task that is demanding a lot of creativity and sensitivity because globalisation parodying to transcend the barriers of division wrecks the identities of persons and peoples. It is easy to affirm and adapt oneself to the existing dominant cultural traditions and propagate them valid and good for all and thus advocate a kind of pseudo harmony in the society. Communal harmony does not mean submission of every one to one singular

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41   Cf. Iyer, V.R.K., 1991, p. 106
42   Cf. Mette, N., Zum Friedenshandeln erziehen, p. 181

dominant power system breeding a monoculture, be it in religion or in politics, rather it is a climate where no one is ashamed of being what he is and every one is appreciative of other's uniqueness as one is proud of one's own identity. It is an act of nurturing an ambient of togetherness but in plurality.

Human Communities of Peace

Peace is a communitarian project, hence it cannot be forced upon others form above, rather all must collaborate in a concerted effort to eradicate hatred and animosity and plant seeds of harmony and peace. *Ecclesia in Asia* stresses rightly that 'forging bonds of solidarity' (No. 24) with other Christian churches and also with other religions is part of the mission of the church. Hence, any pastoral against violence on minorities should concentrate on transforming first of all the existing structure of the church into communities of the Kingdom, namely, basic Christian communities, and from this communion of communities proceed to basic human communities. It is indeed an arduous challenge for the local church in a society that is ridden by so many walls of separation to form human communities, which will be nurseries of peace, non-violence and communal harmony.[43] But church could set an example by overcoming the scandalous barriers of divisions in the name of caste, language, region etc., and forming basic communities, which would infuse the spirit of communion. Max Horkheimer opines that the claim of Marxism that an authentic society emerges out of such solidarity of the proletariat has proved now wrong, because the situation of the proletariat does not forward (to solidarity) and even if there is a revolution there is no freedom for the life of the human. However, the concept of solidarity appears to me very much related to the concept of 'the love of neighbour'. Hence, people can be bound together through this principle so that they could recognise each other as mortal elements and thus emerges solidarity between the so-called developed and under-developed nations. It could be a bold dream that one day a kind of ideology (reflection) linked with theology develops through which human beings realise that their essential responsibility is to be united together so that

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43   Cf. Amaladoss, M., The Gospel, Community and Culture. Becoming Communities of the Kingdom in Tamil Nadu, in: ZMR 4/80 (1996), pp. 243-254, here p. 253

nobody starves any more, every one has a decent house and no epidemics have a sway even in the poorest of the countries.[44]

Non-violent Movements

The further development of basic human communities would be taking initiatives to mobilise people's power in order to build a just and peaceful human family founded firmly on the values of the Kingdom of God. In other words, basic human communities should metamorphose into peoples' movements, which believe in non-violence in order to achieve peace, equality, prosperity and fraternity in the world. Only such non-violent peoples' movements would serve as effective antidote against the violence-prone revolutionary movements to which young people are attracted. Christian communities should become gradually a constellation of "movements of those at the periphery".[45] Martin Luther King Jr. addressing the Christians insists on the necessity of non-violent struggle for establishing the reign of God. "The church must move into the arena of social action... It would be both cowardly and immoral for you to accept injustice patiently. You cannot in good conscience sell your birthright of freedom for a mess of segregated pottage... But...struggle with Christian methods and Christian weapons. Be sure that the means you employ are as pure as the end you seek.... Let no man pull you so low that you hate him. Always avoid violence. If you sow the seeds of violence in your struggle, unborn generations will reap the whirlwind of social disintegration... Even if physical death is the price that some must pay to free their children from psychological death, nothing could be more Christian".[46] Such people's movements emerging from the initiatives of grass-root human communities bring in peace and harmony in the society.

Development for Peace

Development is another name for peace (Paul VI). There is no chance for genuine peace if needed infrastructures are not created offering the

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44   Horkheimer, M., Die Funktion der Theologie in der Gesellschaft, but here quoted from Fast, H., et al, Glauben und Gewalt, Claudius Verlag, München, 1971, pp.118-119

45   Wilfred, F., 1995, p. 3

46   King, M.L. Jr., Strength to Love - A Book of Sermons, New York, 1963, pp. 156ff.

poor possibilities to build up their future. Church has been very well aware of the meaning of this task and she has been investing enormously in developmental works especially in the last few decades in the poor regions of the country. But it is necessary to view critically developmental programmes of the Christian communities and they way they carried out, and the results they bring in, in order to arrive at an authentic form of pastoral ministry, which would be useful to counteract the problem of violence. The bitter fact is that that not all kind of developments comes in aid of the poor. It is very visible in the age of economic globalisation. The goal and means of development has to be defined in favour of the exploited, otherwise, it will be another name for age-old deprivation.

Network of Initiatives

Remedy for the escalation of violence due to economic globalisation is the 'globalisation of solidarity'[47] (John Paul II). Church can join hands with other Christian communities within the country as well as in other parts of the world for the sake of peace. The initiatives of various denominations in the recent past, for instance peace efforts of Catholic and Orthodox churches in Croatia, the steps taken by Baptist church for peace in North Eastern India, and various negotiation talks arranged by Protestant church in Scandinavian countries for restoring peace in Sri Lanka and the concerted efforts of the Christian communities especially in Germany and Holland to highlight caste as racial discrimination during the UNO –*World Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance* in 2001 in Durban and the active participation of various Christian groups in the World Social Forum in January in Mumbai – these are a few examples to show how a local church can tap the support of others to tackle the problem of violence. It is not any more possible for any single individual or a community or nation to handle the problem of violence; a world- wide alliance for peace is an unavoidable step.

Moreover, there are a lot of initiatives and organisations that deal with violence and to work for peace. For instance, the World Council of Churches (WCC) has launched in 2000 the *Decade to Overcome*

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47   Address during the Inter-religious Meeting, New Delhi, November 1999 in: VJTR 12/63 (1999), p. 885

Violence (DOV)[48] in order to coordinate the efforts of various churches in eradication violence in the world. And the Nobel Peace Prize Laureates were contributing their might for the cause of peace by appealing to UNO that the first decade of the new millennium, the years 2001-2010, be declared the "*Decade for a Culture of Non-violence*"; that at the start of the decade the year 2000 be declared the "*Year of Education for Non-violence*". UNO has declared on 10th November 1998 the present decade as "*The Decade for a Culture of Peace and Non-violence for the Children of the World* (2001-2010)" and UNESCO has launched a number of programs for the same.

The Christian communities in India as part of the church, 'a Global player'[49] must cooperate with universal church as well as international bodies and coordinate the local efforts and to tackle the problem of violence on and from minority communities. Only such a network of initiatives at micro level will bring would bring lasting peace for he country as well as for the global community.[50] Christian communities in the so- called developed countries have a responsibility in this regard. "On the day of judgement, the people of the Third World will judge the peoples of the first world" (John Paul II). [51] The remedy for the culture of death and cutthroat competition due to economical globalisation lies in globalisation of humanitarian initiatives for the peace cultivating a 'civilisation of love'. As Hans Küng points out globalisation demands a global ethos.[52] The basis of the global ethos is the Golden Rule. But it is not to advocate a 'mono-culture' rather to cultivate an ambient of tolerance and fraternity where every community, religion and country

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48   Cf. DOV Newsletter 1, (January 2001)
49   Cf. Maier, M., *Die Kirche als 'Global Player – Theologischer Überlegungen zu einer menschengerechten Globalisierung*, in: Gabriel, K., Jahrbuch für Christliche Sozialwissenschaft, 41(2000), 130-146
50   Keßler, W., Aufbruch zu neuen Ufern. Ein Manifest für eine sozial-ökologische Wirtschaftsdemokratie, Publik-forum Dokumentation, Obernsel, 1990, pp. 147ff.
51   Quoted in Sobrino, J., The Principle of Mercy, p.97
52   Cf. Küng, H., ibid., p.33, also refer Our Global Neighborhood, UN Commission on Global Governance, Oxford, 1995, Our Creative Diversity, Report of the World Commission on Culture and Development, Paris, 1995, Universal Ethics Project, UNESCO, 1997, World Economic Forum, Davos 1997, Third Millennium Project, Valencia, 1997, Indira Gandhi Conference, New Delhi, 1997.

finds place to be proud of its cultural heritage and has means to develop it. Such an *ecumenism of world responsibility*[53] is not an easy task but an inevitable one. It is possible only through the initiative of many individuals, the *Abrahamite minorities* (H. Camara), who dare to stand apart and explore the new ways for peace. They would initiate a lasting transformation at local as well as at global level. Pastoral ministry against violence cannot be but part of such an initiative, if it is authentic to its origins and options.

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53   Weber, F., *Gerechtigkeit und interkulturelle Beziehung*, in PTh. Vol. 2, 2000, pp. 348-362.